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THE WORKS OF

ORESTES A. BROWNSON,

COLLECTED AND ARRANGED

BY

HENRY F. BROWNSON.

VOLUME XV.

CONTAINING THE FIRST PART OF THE POLITICAL WRITINGS.

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EDITOR'S PREFACE.

The political writings of Dr. Brownson, collected in these four volumes, extend over a period of nearly forty years, from 1837 to 1875. They begin when the author was thirty-four years old, and end with his seventy-second year. When the earliest articles were written he belonged to the radical or movement party both in religion and politics. In those days he held that the people are infallible and humanity divine; and the main object of his writing and preaching was to throw out views however crude and erroneous which he believed would stimulate thought and arouse intellectual activity. The truth, he said, would live, and the error perish. The infallible people would always be able to distinguish between them and accept only what is true.

Accordingly there are many views and expressions to be found in the earlier writings originating, for the most part, in an erroneous theology, which the author afterwards repudiated, and which he exposed and combated in *The Convert*, *The American Republic*, and here and there in his other writings. But, as a general rule, his political opinions on all the great questions discussed, such as the origin and ground of government, the evil tendency of popular democracy, the distinction between this and our American system of constitutional republicanism, and opposition to privilege and monopoly and class legislation, continued unaltered through life. He had prior to 1837 embraced in its full extent the doctrine of the absolute sovereignty of the people in their own right, and had advocated the social as well as the civil and political equality of all men. His sympathies were always with the weaker class, with the wronged and the oppressed. Accordingly in 1830 he labored in support of what was called the Working-Men's party, though in a moral and social, rather than a political, aspect. From 1831 to 1837 he paid little or no attention to politics. The Democratic party did not go far enough for him in carrying out the principle of social democracy.

The suspension of the banks in 1837, and the special legislation in favor of moneyed corporations which followed, aroused his strongest opposition, and led him to examine deeply and thoroughly the elementary principles of politics, the basis of government in general, and the character of our American government. The results of this study he published during seven or eight years following in the Boston Quarterly and the Democratic Reviews.

He supported the Democratic party, at this time, as the state-rights party, and agreed with its doctrines concerning banks and banking, with its maintenance of equal rights, and with its opposition to privilege

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and monopoly. He endeavored to make a distinct issue between the interests of associated and corporate wealth, that is to say, of the business and trading classes on the one side, and the interests of labor, agricultural, mechanical, &c., on the other. This he called the issue of man against money. The result of the elections in 1840 convinced him that money will always carry it over man, and he abandoned that issue, and instead of separating the interests of business and labor, he sought so to unite them as to secure equal rights to all with special privileges to none, and to make each in promoting its own interests contribute to the promotion of the interests of both.

For this purpose such practical guaranties are necessary as will prevent the government, whatever the doctrines or tendencies of the party in power, from becoming an instrument of injury to individual rights or the rights of minorities. Democracy has for its fundamental principle the right of the majority to govern without any restraint on its will. Jefferson confessedly violated the constitution, Madison claimed that the repeated exercise of unconstitutional power acquiesced in by the people became legitimate, Jackson set aside the constitution by claiming the right to interpret it for himself, and the Whigs, after their success in the elections of 1840, under the lead of Henry Clay proposed such amendments to the constitution as would remove all restraint on the arbitrary will of the majority for the time being. The author's aim was then to restrain the majority, or class in power, from oppressing and plundering other classes. His first step was to examine the democratic principle, that the people are the origin or source of power and that government is "of the people, from the people, and by the people," as Mr. Lincoln expressed it in his famous Gettysburg oration.

There is nothing in Dr. Brownson's writings more remarkable than these early essays, in which he refutes the theories of Locke, Rousseau, Hobbes, &c., and establishes the divine right of government, and the providential constitution of the state anterior to the written constitution. In defending constitutional government against popular democracy, he secures the basis of individual freedom, and in the divine right of government the foundation of lawful authority. The unrestrained will of the sovereign in all absolute governments, monarchical, aristocratic, or democratic, is despotism, and there is freedom only where this will is limited and restrained by the constitution, whether written or unwritten. Anarchy is repressed and lawful authority is sustained under whatever form constituted, by the assertion that all power is from God, and he that resists it purchases damnation to himself. So long as the government rules justly, in accordance with God's law, its commands bind in conscience, and anarchy and revolution are unlawful. Where the government becomes tyrannical, resistance is lawful and may be a duty, and in this is the safeguard of liberty. Many of these essays are only the application of the principle of obedience to lawful authority, and the right of opposing despotic government, condemning, on the

one hand, red-republicanism, socialism, and revolutionism, and on the other, absolute government and cæsarism.

The most noteworthy change in the author's views of the political questions which he discussed from first to last, is on the question of state and national sovereignty. For years he advocated the doctrine that the political sovereignty inheres in the several states, and that the United States have only a delegated authority, as the agent for certain specified purposes of a general nature of these sovereign states. He held the doctrine of nullification, or the right of a state to declare a law of congress null and void within its limits, and was even disposed to admit the right of a state to secede, though he maintained that it would be a breach of faith for a state to withdraw from the Union. But the rebellion and secession of some of the southern states, and his attempt to justify the federal government in making war on them and coercing them back into the Union, led him to revise his opinion in regard to the seat of sovereignty in our system, and to hold that the United States are a sovereign nation, the component parts of which are states, not individuals, thus asserting national sovereignty, but also at the same time, all the rights of the states under it.

Agitation for the abolition of slavery in the states where the law authorized it, he opposed as inconsistent with the rights of those states and their independence in their local affairs, and also as threatening a dissolution of the Union. But he was equally opposed to the attempt to extend slavery into the territories, or to make the slaveholding interest the ruling interest of the nation. He would not violate the constitution and dissolve the Union in order to abolish slavery, but when by secession the slave states deprived themselves of the federal protection for their property, he was among the earliest, most forcible, and most persistent advocates of emancipation, both as a war measure and as a matter of justice.

The evils that have followed emancipation have been the natural result of federal interference in the local affairs of the states concerned. Every war tends to strengthen the centralizing tendency and to reduce the states to the condition of counties or departments. In supporting the authority of the general government we are in danger of forgetting the rights of individuals and states, and now, as after the war with Great Britain in 1812, we are running with fearful speed towards centralization, or a consolidated democracy, as alien to the American system of government as a monarchy or aristocracy would be.

Among the most important questions of national policy discussed is that of free-trade or protection. The argument against the protective policy is strongly put, but as a question of policy no solution is possible that will admit of universal application. It may be best for the particular interests of one nation, and not of another, or for the same nation at one time and under certain circumstances, and not at another time and under different circumstances. The author in his later writings main-

tained, that where the circumstances of a nation would permit, it is its duty to encourage and protect its own industry, so as to secure its independence of foreign nations as far as possible. It is wholly a practical question, not dependent on theory, or any principle pushed to its last consequences. Great evil has resulted in government from the tendency of statesmen to aim at strict logical unity and consistency in practical affairs of the state. Theoretical truth is one and consistent; it knows no just medium, no compromise; because what is not truth is falsehood, and cannot be accepted. But government must rest on compromise; for it is a practical affair, and must vary with the ever-varying circumstances which control it. Just as the church is invariable in her dogmas and morals, but changeable in her discipline, so also government should always conform to the eternal principles of right and justice, but in its practical labors for the well-being of the governed, it should pursue such policy as, while just and equitable, is best adapted to the present circumstances and interests of the nation. In these matters of practical policy, differences of opinion among statesmen and politicians are seldom productive of any great evil ; for here the good sense and political instinct of the people will eventually set all right. The great danger to the country, the author apprehended from the growing tendency of the American people to depart from the original principles of constitutional and federal republicanism, and to interpret our system in the sense of red-republican and social democracy, a tendency which if not checked will lead inevitably to social despotism and anarchy.

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DEMOCRACY.

[From the Boston Quarterly Review for January, 1838.]

In common with the great body of our countrymen, we are sturdy democrats; and, do what we can to prevent it, democracy will more or less tincture all that we write. But in order to avoid all just occasion of offence to those—if such there be—in whose minds the word *Democrat* calls up unpleasant associations, and to save ourselves from being misapprehended or misinterpreted, we design, in this article, to give as clear and as satisfactory an exposition, as we can, of what we understand by democracy, and of the sense in which we consider ourselves and wish others to consider us democrats.

1. We may understand by democracy a form of government under which the people, either as a body or by their representatives, make and administer their own laws. This is the original and etymological sense of the word; and in this sense, a democrat is one who believes in, or contends for a popular form of government. All, or nearly all Americans are democrats in this sense of the word. We have established a democratic government, both for the confederacy and for the several states; and there are few among us, if any, who would exchange it for another. Some may have less faith than others in the utility or permanence of this form of government; here and there one, perhaps, may be found with an individual preference for a limited monarchy; but virtually the whole people are seriously and honestly bent on preserving the institutions the wisdom of our fathers adopted. There may be those who question the propriety of this or that public measure, who object to this or that law, but none who object very strenuously to the form of the government itself. The American people are not revolutionists. They are conservatives, and to be a conservative in this country, is to be a democrat.

2. By the word *Democracy* we may designate the great body of the people, the unprivileged many, in opposition to the privileged few. In this sense of the word, a democrat is one who sympathizes with the masses, and who contends that all political and governmental action should have

for its end and aim the protection of the rights and the promotion of the interests of the poorest and most numerous class. The whole, or nearly the whole American people are democrats also in this sense of the term. There may be differences of opinion, as to the means of promoting the good of the many, as to what constitutes their good, and as to the amount of good God has made them capable of receiving, obtaining, or enjoying, but none as to the principle that the government is bound to seek "the greatest good of the greatest number."

3. The term *Democracy* may also be applied, as it is applied in this country, to a certain political party. There is a political party in this country called the Democratic party. It sprang up on the adoption of the federal constitution, to which it was opposed, and which it refused to accept without some important amendments. It came into power with Mr. Jefferson, in 1801, and has had at least the nominal control of the general government ever since, though it has seldom had a majority in all the states. Its first party appellation was that of Anti-Federalist; in 1798 it was called the Republican party; since 1812, especially since 1825, it has assumed the name of the Democratic Republican or Democratic party. When we use the word *Democracy* to designate this party, we call an adherent of this party a Democrat. A Democrat in this sense, however, does not imply so much the one who believes in the general doctrines of the Democratic party, and who countenances its principal measures, as the one who enters its ranks, puts on its livery, submits to its rules and usages, and feels himself bound by his duty to his party to vote for its candidates and to support its policy, whether he like them or not. He must be a good man and true, one on whom the party can count, and who will not disturb it by any obstinate adherence to the convictions of his own understanding, or the dictates of his own conscience. In the sense of a member of this party, a considerable number of the American people are not Democrats. Some are not Democrats because they disapprove the doctrines and measures of the Democratic party; others, because they have a very great aversion to being swallowed up in a multitude that goes hither and thither, just as some irresponsible will directs. We are of the latter class. We do not call ourselves Democrats in a party sense, because we have a great dislike to party tyranny, and because wherever we are, we must speak

according to our own convictions, and act as seemeth to us good, without asking the leave of a party. In a party sense, we are nothing. There is no party that can count on our fidelity. In politics, as in morals, theology, and philosophy, we are eclectics, and hold ourselves free to seek, accept, and support truth and justice wherever we can find them. No party is always wrong; no one is always right. We agree with all parties where they agree with us; but where they do not agree with us, we cannot and will not surrender our own convictions, for the sake of agreeing with them or with any one of them.

4. The word *Democracy*, in the last place, may be taken as the name of a great social and political doctrine, which is now gaining much in popularity, and of a powerful movement of the masses towards a better social condition than has heretofore existed. In this sense the word is used in England and on the continent of Europe, though not often in this country. A democrat, in this sense of the word, is rather a philosophical, than a party democrat. He takes the word, not in a party and historical sense, but in a broad, philosophical sense. He distinguishes between party democracy as it exists in this country, and philosophical democracy, or democracy as it should be. With the first we do not concern ourselves. In the second, we take a deep interest, both as a man and as a citizen; and this *Review* will ever be found its fearless and untiring advocate.

But, what is philosophical democracy? or the social and political doctrine, which may be called, not in an historical and party sense, but in a philosophical sense, the democratic doctrine? This is not a question without significance. It is a question it behooves every American citizen to ask, and, as far as he can, to answer. It needs a deliberate answer, such an answer as it has never yet, to our knowledge, received. Not a few of those who call themselves democrats are entirely ignorant of what democracy is, and wholly unable to legitimate the doctrines or the measures they support. Notwithstanding the much that has been said and written about democracy, it is yet more of an instinct, an impulse, a sentiment, than an idea. The masses feel its power and yield to its direction, but they see not whither they are going, and they comprehend not wherefore they ought to suffer themselves to be borne along on its current. They go, perhaps where they ought to go, but they go blindly, without legitimating or being able to legitimate

their course. It will not be useless then to attempt to seize this vague sentiment, this democratic instinct, and to do something to present it in a form that shall enable men to perceive what it is, and what are the grounds on which it may be legitimated.

Democracy, in the sense we are now considering it, is sometimes asserted to be the sovereignty of the people. If this be a true account of it, it is indefensible. The sovereignty of the people is not a truth. Sovereignty is that which is highest, ultimate; which has not only the physical force to make itself obeyed, but the moral right to command whatever it pleases. The right to command involves the corresponding duty of obedience. What the sovereign may command, it is the duty of the subject to do.

Are the people the highest? Are they ultimate? And are we bound in conscience to obey whatever it may be their good pleasure to ordain? If so, where is individual liberty? If so, the people, taken collectively, are the absolute master of every man taken individually. Every man, as a man, then, is an absolute slave. Whatever the people, in their collective capacity, may demand of him, he must feel himself bound in conscience to give. No matter how intolerable the burdens imposed, painful and needless the sacrifices required, he cannot refuse obedience without incurring the guilt of disloyalty; and he must submit in quiet, in silence, without even the moral right to feel that he is wronged.

Now this, in theory at least, is absolutism. Whether it be a democracy, or any other form of government, if it be absolute, there is and there can be no individual liberty. Under a monarchy, the monarch is the state. "*L'état, c'est moi*," said Louis XIV., and he expressed the whole monarchical theory. The state being absolute, and the monarch being the state, the monarch has the right to command what he will, and exact obedience in the name of duty, loyalty. Hence absolutism, despotism. Under an aristocracy, the nobility are the state, and consequently, as the state is absolute, the nobility are also absolute. Whatever they command is binding. If they require the many to be "hewers of wood and drawers of water" to them, then "hewers of wood and drawers of water" to them the many must feel it their duty to be. Here, for the many, is absolutism as much as under a monarchy. Everybody sees this.

Well, is it less so under a democracy, where the people,

in their associated capacity, are held to be absolute? The people are the state, and the state is absolute; the people may therefore do whatever they please. Is not this freedom? Yes; for the state; but what is it for the individual? There are no kings, no nobilities, it is true; but the people may exercise all the power over the individual, that kings or nobilities may; and consequently every man, taken singly, is, under a democracy, if the state be absolute, as much the slave of the state, as under the most absolute monarchy or aristocracy.

But this is not the end of the chapter. Under a democratic form of government, all questions, which come up for the decision of authority, must be decided by a majority of voices. The sovereignty, which is asserted for the people, must, then, be transferred to the ruling majority. If the people are sovereign, then the majority are sovereign; and if sovereign, the majority have, as Miss Martineau lays it down, the absolute right to govern. If the majority have the absolute right to govern, it is the absolute duty of the minority to obey. We who chance to be in the minority are then completely disfranchised. We are wholly at the mercy of the majority. We hold our property, our wives and children, and our lives even, at its sovereign will and pleasure. It may do by us and ours as it pleases. If it takes it into its head to make a new and arbitrary division of property, however unjust it may seem, we shall not only be impotent to resist, but we shall not even have the right of the wretched to complain. Conscience will be no shield. The authority of the absolute sovereign extends to spiritual matters, as well as to temporal. The creed the majority is pleased to impose, the minority must in all meekness and submission receive; and the form of religious worship the majority is good enough to prescribe, the minority must make it a matter of conscience to observe. Whatever has been done under the most absolute monarchy or the most lawless aristocracy, may be reënacted under a pure democracy, and what is worse, legitimately too, if it be once laid down in principle that the majority has the absolute right to govern.

The majority will always have the physical power to coerce the minority into submission; but this is a matter of no moment in comparison with the doctrine which gives them the right to do it. We have very little fear of the physical force of numbers, when we can oppose to it the

moral force of right. The doctrine in question deprives us of this moral force. By giving absolute sovereignty to the majority, it declares whatever the majority does is right, that the majority can do no wrong. It legitimates every possible act, for which the sanction of a majority of voices can be obtained. Whatever the majority may exact, it is just to give. Truth, justice, wisdom, virtue can erect no barriers to stay its progress; for these are the creations of its will, and may be made or unmade by its breath. Justice is obedience to its decrees, and injustice is resistance to its commands. Resistance is not crime before the civil tribunal only, but also *in foro conscientiæ*. Now this is what we protest against. It is not the physical force of the majority that we dread, but the doctrine that legitimates each and every act the majority may choose to perform; and therefore teaches them to look for no standard of right and wrong beyond their own will.

We do not believe majorities are exceedingly prone to encroach on the rights of minorities; but we would always erect a bulwark of justice around those rights, and always have a moral power which we may oppose to every possible encroachment. The majority, we believe, always leave the minority in possession of the greater part of their rights, not however as rights, but as favors. It is to this we object. We cannot, and will not, consent to receive as a boon, what we may demand as a right. Our liberties belong to us as men; and we would always feel that we hold them as our personal property, of which he who despoils us is a thief and a robber.

The effects of this doctrine, so far as believed and acted on, cannot be too earnestly deprecated. It creates a multitude of demagogues, pretending a world of love for the *dear* people, lauding the people's virtues, magnifying their sovereignty, and with mock humility professing their readiness ever to bow to the will of the majority. It tends to make public men lax in their morals, hypocritical in their conduct; and it paves the way for gross bribery and corruption. It generates a habit of appealing on nearly all occasions, from truth and justice, wisdom and virtue, to the force of numbers, and virtually sinks the man in the brute. It destroys manliness of character, independence of thought and action, and makes one weak, vacillating,—a time-server and a coward. It perverts inquiry from its legitimate objects, and asks, when it concerns a candidate for office, not, who

is the most honest, the most capable? but, who will command the most votes? and, when it concerns a measure of policy, not, what is just? what is for the public good? but, what can the majority be induced to support?

Now as men, as friends to good morals, we cannot assent to a doctrine which not only has this tendency, but which declares this tendency legitimate. That it does have this tendency needs not to be proved. Everybody knows it, and not a few lament it. Not long since it was gravely argued by a leading politician, in a Fourth of July oration, that Massachusetts ought to give Mr. Van Buren her votes for the presidency, because, if she did not, she would array herself against her sister states, and be compelled to stand alone, as the orator said with a sneer, "in solitary grandeur." In the access of his party fever, it did not occur to him that Massachusetts was in duty bound, whether her sister states were with her or against her, to oppose Mr. Van Buren, if she disliked him as a man, or distrusted his principles as a politician or a statesman. Many good reasons, doubtless, might have been alleged why Massachusetts ought to have voted for Mr. Van Buren, but the orator would have been puzzled to have selected one less conclusive, or more directly in the face and eyes of all sound morals, than the one he adduced. The man who deserves to be called a statesman never appeals to low or demoralizing motives, and he scorns to carry even a good measure by unworthy means. There is within every man, who can lay any claim to correct moral feeling, that which looks with contempt on the puny creature who makes the opinions of the majority his rule of action. He who wants the moral courage to stand up "in solitary grandeur," like Socrates in face of the Thirty Tyrants, and demand that right be respected, that justice be done, is unfit to be called a statesman, or even a man. A man has no business with what the majority think, will, say, do, or will approve; if he will be a man, and maintain the rights and dignity of manhood, his sole business is to inquire what truth and justice, wisdom and virtue demand at his hands, and to do it, whether the world be with him or against him,—to do it, whether he stand alone "in solitary grandeur," or be huzzaed by the crowd, loaded with honors, held up as one whom the young must aspire to imitate, or be sneered at as singular, branded as a "seditious fellow," or crucified between two thieves. Away then with your demoralizing and de-

basing notion of appealing to a majority of voices! Dare be a man, dare be yourself, to speak and act according to your own solemn convictions, and in obedience to the voice of God calling out to you from the depths of your own being. Professions of freedom, of love of liberty, of devotion to her cause, are mere wind when there wants the power to live, and to die, in defence of what one's own heart tells him is just and true. A free government is a mockery, a solemn farce, where every man feels himself bound to consult and to conform to the opinions and will of an irresponsible majority. Free minds, free hearts, free souls are the materials, and the only materials, out of which free governments are constructed. And is he free in mind, heart, soul, body, or limb, he who feels himself bound to the triumphal car of the majority, to be dragged whither its drivers please? Is he the man to speak out the lessons of truth and wisdom when most they are needed, to stand by the right when all are gone out of the way, to plead for the wronged and downtrodden when all are dumb, he who owns the absolute right of the majority to govern?

Sovereignty is not in the will of the people nor in the will of the majority. Every man feels that the people are not ultimate, are not the highest, that they do not make the right or the wrong, and that the people as a state, as well as the people as individuals, are under law, accountable to a higher authority than theirs. What is this higher than the people? The king? Not he whom men dignify with the royal title. Every man, by the fact that he is a a man, is an accountable being. Every man feels that he owes allegiance to some authority above him. The man whom men call a king, is a man, and inasmuch as he is a man, he must be an accountable being, must himself be under law, and, therefore, cannot be the highest, the ultimate, and of course not the true sovereign. His will is not in itself law. Then he is not in himself a sovereign. Whatever authority he may possess is derived, and that from which he derives his authority, and not he, in the last analysis, is the true sovereign. If he derive it from the people, then the people, not he, is the sovereign; if from God, then God, not he, is the sovereign. Are the aristocracy the sovereign? If so, annihilate the aristocracy, and men will be loosed from all restraint, released from all obligation, and there will be for them neither right nor wrong. Nobody can admit that right and wrong owe their existence to

the aristocracy. Moreover, the aristocracy are men, and as men they are in the same predicament with all other men. They are themselves under law, accountable, and therefore not sovereign in their own right. If we say they are above the people, they are placed there by some power which is also above them, and that, not they, is the sovereign.

But if neither people, nor kings, nor aristocracy are sovereign, who or what is? What is the answer which every man, when he reflects as a moralist, gives to the question, Why ought I to do this or that particular thing? Does he say because the king commands it? the aristocracy enjoin it? the people ordain it? the majority wills it? No. He says, if he be true to his higher convictions, because it is right, because it is just. Every man feels that he has a right to do whatever is just, and that it is his duty to do it. Whatever he feels to be just, he feels to be legitimate, to be law, to be morally obligatory. Whatever is unjust, he feels to be illegitimate, to be without obligation, and to be that which it is not disloyalty to resist. The absolutist, he who contends for unqualified submission on the part of the people to the monarch, thunders, therefore, in the ears of the absolute monarch himself, that he is bound to be just; and the aristocrat assures his order that its highest nobility is derived from its obedience to justice; and does not the democrat too, even while he proclaims the sovereignty of the people, tell this same sovereign people to be just? In all this, witness is borne to an authority above the individual, above kings, nobilities, and people, and to the fact, too, that the absolute sovereign is justice. Justice is then the sovereign, the sovereign of sovereigns, the king of kings, lord of lords, the supreme law of the people, and of the individual.

This doctrine teaches that the people, as a state, are as much bound to be just, as is the individual. By bounding the state by justice, we declare it limited; we deny its absolute sovereignty; and, therefore, save the individual from absolute slavery. The individual may on this ground arrest the action of the state, by alleging that it is proceeding unjustly; and the minority has a moral force with which to oppose the physical force of the majority. By this there is laid in the state the foundation of liberty; liberty is acknowledged as a right, whether it be possessed as a fact or not.

A more formal refutation of the sovereignty of the peo-

ple, or vindication of the sovereignty of justice is not needed. In point of fact, there are none who mean to set up the sovereignty of the people above the sovereignty of justice. All, we believe, when the question is presented, as we have presented it, will and do admit that justice is supreme, though very few seem to have been aware of the consequences which result from such an admission. The sovereignty of justice, in all cases whatsoever, is what we understand by the doctrine of democracy. True democracy is not merely the denial of the absolute sovereignty of the king, and that of the nobility, and the assertion of that of the people ; but it is properly the denial of the absolute sovereignty of the state, whatever the form of government adopted as the agent of the state, and the assertion of the absolute sovereignty of justice.

Sovereignty may be taken either absolutely or relatively. When taken absolutely, as we have thus far taken it, and as it ought always to be taken, especially in a free government, it means, as we have defined it, the highest, that which is ultimate, which has the right to command what it will, and which to resist is crime. Thus defined it is certain, that neither people, nor kings, nor aristocracies are sovereign, for they are all under law, and accountable to an authority which is not theirs, but which is above them, and independent of them.

When taken relatively, as it usually is by writers on government, it means the state, or the highest civil or political power of the state. The state, we have seen, is not absolute. It is not an independent sovereign. It is not, then, in strictness, a sovereign at all. Its enactments are not in and of themselves laws, and cannot be laws, unless they receive the signature of absolute justice. If that signature be withheld they are null and void from the beginning. Nevertheless, social order, which is the indispensable condition of the very existence of the community, demands the creation of a government, and that the government should be clothed with the authority necessary for the maintenance of order. That portion of sovereignty necessary for this end, and, if you please, for the promotion of the common weal, justice delegates to the state. This portion of delegated sovereignty is what is commonly meant by sovereignty. This sovereignty is necessarily limited to certain specific objects, and can be no greater than is needed for those objects. If the state stretch its authority beyond

those objects, it becomes a usurper, and the individual is not bound to obey, but may lawfully resist it, as he may lawfully resist any species of injustice,—taking care, however, that the manner of his resistance be neither unjust in itself, nor inconsistent with social order. For instance, the state assumes the authority to allow a man to be seized and held as property; the man may undoubtedly assert his liberty, his rights as a man, and endeavor to regain them; but he may not, in doing this, deny or infringe any of the just rights of him who may have deemed himself his master or owner.

Now this qualified, limited sovereignty, which in the last analysis, as we have said, is no sovereignty at all, is the sovereignty which has been asserted for the people, and to this sovereignty they are undoubtedly entitled. This sovereignty, which is the sovereignty of the state, may be vested in one man, and then the government is a monarchy; it may be vested in a few, and then the government is an aristocracy, or an oligarchy; it may be vested in the priesthood, and then the government is a hierarchy, or a theocracy, as it is more frequently called, because the priesthood never claim the sovereignty in their own name, but in the name of God; or, in fine, it may be vested in the people and then it is a democracy, and a democracy, although the exercise of authority be in fact assigned to one man, or to a few nobles, if the one man, or the few nobles are held to derive their authority to govern from the people. France, in theory, was a democracy under Napoleon, although the exercise of authority was delegated to one man, and made hereditary in his family.

If the question come up, which of these various forms of government is the best, we answer unhesitatingly, that which vests sovereignty in the people. One thing may be affirmed of all forms of government. Wherever the supreme power of the state is lodged, they who are its depositaries always seek to wield it to their own exclusive benefit. Government is, whatever its form, invariably administered for the good of the governors. Theorists, indeed, tell us that government is instituted for the good of the governed; but that they are wrong is proved by the experience of six thousand years. Some have thought that governments were made for the good of the people; they who think the people were made for the good of governments, think more comformably to fact. They who have the power invariably

seek to derive the greatest profit possible from it for themselves. Thus, in a monarchy, all things must be held subordinate and subservient to the interests and glory of the monarch; in a theocracy, all succumbs to the priesthood; in an aristocracy, the few must ride, though the many trudge on foot; in a democracy, the many are cared for, though the few be neglected. Without claiming any peculiar merit for the governing class in a democracy, we say, therefore, that a democracy is the best form of government for humanity,—as much better as it is that the many shall be well off, though the few suffer, than it is that the few should be clothed in purple and fine linen, and fare sumptuously every day, while the many lie at their gates, covered over with the rags and bruises of poverty and abuse, begging to be fed with the few crumbs which may chance to fall from their tables. So far, then, as sovereignty is to be affirmed of the state, we say let it be affirmed of the people. If we be told that the people are incapable of using it to their own good, we say, let them use it to their own hurt then. They will have a hard time of it, even with a good share of infernal aid to boot, to govern themselves worse than kings, nobilities, and hierarchies have hitherto governed them.

We suppose all that anybody really means by the sovereignty of the people is, that the highest civil or political power in the state is the people; and that all officers of the government, whether bearing royal, patrician, or plebeian titles, are to be regarded, not as the governors or rulers of the people, but as the simple agents of the people, to whom they are directly accountable for their official conduct. This we hold to be a truth; and the fault we find with them who assert the sovereignty of the people is, not with the doctrine they seem to themselves to be setting forth, but with their neglect of the obvious limitations of that sovereignty. The advocates of popular sovereignty have taken good care to limit the authority, to circumscribe and define the powers of the government, so as to keep it in due subordination to the people, from whom it derives its existence; but they have not taken as good care to guard the people, as individuals, against the people, as a body politic. They have limited the government which is a creature of the body politic, but they have left the body politic itself in possession of unlimited sovereignty. In denying the sovereignty of the people, we mean to deny to the body politic unlimited authority, or the right to act at all, in any way, or by

any agents whatever, on any except certain specific objects, indispensable to the maintenance of social order, and, if the phrase will be taken strictly, the common weal.

But the doctrine of the popular sovereignty, whatever its unsoundness or dangerous tendency, when asserted without any qualifications, has had an important mission to execute, and it has done no mean service to humanity. From the moment it was first asserted, up to the present, it has been the rallying point of the friends of freedom and progress; and, as things have heretofore been, neither freedom nor progress were possible to be attained without it. It is not for nothing, then, that the friends of freedom and progress, in this and other countries, cling to the sovereignty of the people; and we are not to be astonished, if they now and then stretch it somewhat beyond its legitimate bonds, and continue to defend it, even after its mission is perfected. We do not willingly let go a doctrine which has stood us in good stead in our days of darkness and trial; nor is it an easy matter for us to determine with precision the exact amount of good it has done, or may yet do us. Moreover, we are slow to learn that in contending for the same form of words, we are not always contending for the same doctrine, and that in giving up an old form of words, we do not necessarily give up the old truth we had loved. Words ever change their import as change the circumstances amid which they are uttered. The form of words, which yesterday contained the doctrine of progress, to-day contains a doctrine which would carry us backward. The watchword of liberty under one set of circumstances becomes under another set of circumstances the watchword of tyranny. It is the part of the wise man to note these changes, and to seek out new watchwords as often as the old ones lose their primitive meaning.

So long as the sovereignty of the people was the denial of the sovereignty of kings, hierarchies, and nobilities, it was true, and was the doctrine of progress. The assertion of the sovereignty of the people was necessary to legitimate popular liberty. In every human heart, there is a more or less lively sense of legitimacy. Men revolt from one authority, not because it oppresses them, or restrains them in the free use of their persons or property, but because they regard it as illegitimate, as a usurper; they submit to another authority and uphold it, although it impose severe burdens, take the fruits of their labors to squander on its pleasures, their

daughters for its debaucheries, and their sons for its battles, because they hold it to be legitimate, the rightful sovereign, which they are bound in conscience to obey. To uphold the first, or to resist the last, would in their estimation be alike disloyal. This sense of legitimacy meets us every where throughout the whole of modern history. It has made the people sustain a corrupt and demoralizing despotism, cling to old forms of government, and fight for old abuses, long after the reformer has appeared to demand meliorations from which they could not fail to profit. It is so deeply rooted in modern civilization,—indeed, in human nature itself,—that to eradicate it is impossible. In point of fact, we ought not to eradicate it even if we could; for at bottom, it is one of the noblest attributes, we may say, the distinguishing attribute, of man himself, that without which man would cease to be man. It is, in the last analysis, identical with the sense of right, the correlative of the sense of duty. Take it away, and right and wrong would be empty names, man could acknowledge no sovereign, feel no obligation, and never be made to comprehend the fact that he has rights. The principle in itself is good, and must be retained, if man is to be preserved. But it depends almost entirely on circumstances, whether the sense of legitimacy shall be combined with a truth, or with a falsehood. If the individual be enlightened so as to discern the true sovereign, then this sense of legitimacy makes him invincible in the support or defence of the right, of freedom, of progress; but if he be darkened by ignorance or warped by prejudice, so as to mistake the true sovereign for the one who is no sovereign, then does it make him equally invincible in the support and defence of the wrong, the bitter and untiring foe of freedom and progress.

Now at that period of modern history, when the popular movement began to manifest itself, legitimacy was almost exclusively attached to the hereditary monarch, and passive obedience was the order of the day. Opposition to the monarch was revolting to the general sense of right; and yet, the cause of the people could not advance without opposing him, and in some instances not without dethroning and even decapitating him. The monarch was held to be sacred and inviolable; but so long as he was so held, the cause of the people must sleep. The people must desist from their efforts to meliorate their condition, unless they could discover some means by which opposition to the hereditary

monarch should become sacred and venerable in the eyes of conscience. To act against their sense of right, is what the people never do. A mob may be excited; and, in the intoxication of the moment, it may trample on justice and humanity; but the people are always serious, conscientious in what they do. Long ages will they endure the most grievous wrongs and the most grinding oppression; but to relieve themselves at the expense of what they conceive to be justice,—that will they do never. Knowingly, intentionally, they never do wrong. When they have laid it down or found it laid down, in their conscience, that the hereditary monarch is the legitimate sovereign, they gather round each, the smallest even of his prerogatives, and defend it at the sacrifice of their lives.

Here, we perceive, was a serious difficulty to be removed. The physical power was on the side of the people; but physical power is as chaff before the wind, whenever it has to encounter spiritual might. The people had numbers and the physical strength to gain their freedom, but they dared not. Conscience disarmed them. They felt that they were bound to obey the monarch, and they had no courage to resist him. The stoutest and bravest are children and cowards in a war against conscience. What could be done? How could opposition to the monarch be made to appear justifiable to those, who had been taught and long accustomed to hold him sacred and inviolable? Assuredly, by denying his absolute sovereignty, that is, his legitimacy. But this alone was not enough. Sovereignty must be somewhere. There must be a sovereign; we feel that there is somewhere an authority we are bound to obey. Where is it? If the monarch be not sovereign, who or what is? Had this question been asked at Runnymede, it might have been answered that the nobles were sovereigns; but Louis XI. in France and the Tudors in England had rendered such an answer invalid. The old feudal chiefs had succumbed to the lord paramount, and ceased to be regarded as legitimate sovereigns by the people. If the question had been asked of Hildebrand, he might have said, that God is the legitimate sovereign; but this, at the time of which we speak, would only have been reasserting the supremacy of the church, which Protestantism had denied. The philosopher might have answered it, as we have answered it to-day, in favor of justice; but the people were not philosophers then, and to have told them to submit to justice, would only have

been to tell them to obey the laws, which again would only have been telling them to obey the monarch from whom the laws emanated.

Under these circumstances it is evident, that the legitimacy of the monarch could be denied only in favor of the people. The people was the only competitor of the king for the throne that it was possible to set up. The people, not the king, is the legitimate sovereign, was the only answer the question admitted. All government is for the good of the people, and every government, which fails to effect the good of the people, is by that fact rendered illegitimate, and may be lawfully opposed. Kings are crowned to protect the rights and promote the interests of the people, and are, therefore, answerable to the people for the use they make of the power given them. The people, in fine, are superior to kings and may judge them. The people then are the sovereign authority. "The people are sovereign;" what words, when first they were uttered! The moment they were uttered, the people sprang into being and were a power,—a power clothed with legitimacy and capable of imparting sanctity and inviolability to its adherents. The people could now legitimate their opposition to the hereditary monarch. In opposing him, they were but calling their servant to an account of his stewardship. They were not contending against just authority, for license, for disorder, but for order, for liberty, for the legitimate sovereign against the usurper. They were able, therefore, to shelter the reformer, and to save him from those compunctions of conscience with which, otherwise, he would have been visited for opposing an authority he had been taught to reverence and long accustomed to obey. The doctrine of the sovereignty of the people made their cause a legitimate, a holy cause, and gave men the right and made it their duty to assert and maintain it.

In this way, the doctrine of the popular sovereignty has wrought out deliverance for the people. It has made the people kings and priests, and declared it sacrilege to touch the least of their prerogatives. This is its victory for humanity. In the Old World, where the masses are trodden down by the privileged orders, it may still have a mission. There it may not have ceased to be the doctrine of progress, and may yet need its soldiers, battles, and martyrs. But here its mission is ended, and its work done. Here it is the doctrine of yesterday and not of to-morrow. To assert it, is not to

deny the sovereignty of kings, hierarchies, and nobilities; for kings, hierarchies, and nobilities, thank God! are not at home on American soil; and, if by some mischance they should be transplanted hither, they would not thrive, they would soon droop, die, and be consumed in the fires of freedom, everywhere burning. The assertion of the sovereignty of the people with us, can be only the assertion of the right of the majority to tyrannize at will over the minority, or the assertion that the people, taken individually, are the absolute slaves of the people, taken as a whole. No; the sovereignty of the people has achieved its work with us, and the friends of freedom and progress must anoint a new king. Democracy to-day changes its word, and bids its sentinels require of those who would enter its camp, not "The sovereignty of the people," but "The sovereignty of justice."

Democracy, as we understand it, we have said, is, on the one hand, the denial of absolute sovereignty to the state, whatever the form of government adopted, and on the other hand, the assertion of the absolute sovereignty of justice. It therefore commands both the people and the individual to be just. It subjects both to one and the same law; and, while it commands the citizen to obey and serve the state with all fidelity, so long as it keeps within its legitimate province, it takes care not to forget to remind the state that it must leave the citizen, as a man, free to do or to enjoy whatever justice permits, commands, or does not forbid.

According to our definition of it, democracy reconciles conflicting theories, and paves the way for the universal association of the human race. By enthroning justice it accepts and explains the leading ideas of theories apparently the most contradictory. Every theory, which obtains or ever has obtained currency, embraces some essential element of truth. He who has yet to learn that the human mind never does, never can believe unmixed falsehood, has no reason to boast of his progress in philosophy. The monarchist has a truth. His truth is that sovereignty is necessarily absolute, one and indivisible. This truth the democrat accepts. In declaring justice the sovereign, he declares the sovereign to be absolute, one and indivisible. The authority of justice is unbounded, and there are not two or more justices, but one justice,—one God. The error of the monarchist is in confounding the absolute sovereign, in

practice at least, with the man whom men call a king. This error the democrat escapes.

The theocrat has a truth, a great truth. His truth is that the Highest and Best,— God, is the sovereign. The democrat asserts the same thing. Justice is the political phasis of God, it is identical with God, and in asserting its sovereignty, the democrat asserts precisely the same sovereignty as does the theocrat. The error of the theocrat is in making the priesthood the symbol of this sovereignty and the authoritative expounders of its decrees. This error the democrat escapes by adopting no symbol of sovereignty, but the universal reason which is ever shining in the human soul, and in making the people in a few instances, and the individual in all the rest, the only authoritative expounders of its decrees.

The truth of the aristocrat is that some men are greater and better than others, and that the greatest and best should govern; that is, that wisdom and virtue, not vice and folly should rule. This truth the democrat by no means rejects. He believes as strongly as any aristocrat, that there are diversities and even inequalities of gifts, that in all communities there are a few men, God-patented nobles, who stand out from the rest, the prophets of what all are one day to be; and he contends that these are the natural chiefs of the people, and that they ought to govern. In asserting that justice is sovereign, he necessarily asserts that they in whom justice is most manifest, in whom God dwells in the greatest perfection, should have the most influence, the most power; but at the same time, he asserts as a necessary consequence of this, that their power should be moral, spiritual, not physical. The error of the aristocrat is in looking for these God-patented noblemen in a particular class, in an hereditary order, or in a special corporation; and in seeking to give them, in addition to the superior power with which they are naturally endowed, the physical power of the state and the factitious authority of an established *régime*. This error the democrat avoids. He proclaims equal chances to equal merit, and leaves every man free to find the place and to wield the authority for which nature —God—has fitted him.

The old-fashioned democrat's truth is, that there shall be no political authority in the state which does not emanate from the people, and which is not accountable to the people; that where there must be state action, it shall be

the action of the whole people, not of one man, or of a few men, who may have an interest directly hostile to the interests of the great body of the people. His error is in the fact that he does not take sufficient care to mark the bounds of the people's authority, and to preserve to the citizen his rights as a man. The democrat, in our sense of the word, accepts the truth, and avoids the error.

It may be seen from these few examples, that democracy accepts and explains all. It is not monarchy, it is not aristocracy, it is not theocracy, in the sense in which the word has been appropriated, nor is it democracy as some would teach us to understand it, but it is a sort of chemical compound of them all. It is a higher and a broader truth than is contained in any one of these systems, one which comprehends and finally absorbs them all.

Democracy is the doctrine of true liberty. The highest conception of liberty is that which leaves every man free to do whatever it is just to do, and not free to do only what it is unjust to do. Freedom to do that which is unjust according to the laws of God or,—which is the same thing,—the law of nature, is license, not liberty, and is as much opposed to liberty, as lust is to love. "A free government," say the old English lawyers, "is a goverment of laws," and they say right, if law be taken absolutely, and not merely as the enactment of the human legislature. Where there is an arbitrary will above the law, be it the will of the one, the few, or the many, there is, in theory at least, absolutism, and the room for pure despotism. A free government must be a government, not of the will of one man, nor of the will of any body of men, but a government of law; not of a law which a human authority may make or unmake, but of that which is law in the very nature, constitution, and being of this system of things to which we belong. Under a government of law in this sense, where authority may never do, command, or permit, except what the immutable law of justice ordains, men are free; they live under the "perfect law of liberty," and may attain to the full and harmonious development of all their faculties.

Governments have not yet been brought under this law. Hitherto, they have all been more or less arbitrary, and have sought to make the law, rather than to discover and publish it. They have, therefore, often declared that to be law which is not law, imposed burdens on the individual, for which nature—God—never designed him, and attempted to

do what they have no capacity to do, what ought not to be done at all, or if done, to be done by the individual. Forgetful of their legitimate province, transcending the bounds which nature had marked out for them, they have created an artificial state of society, disturbed the natural relations between man and man, invaded the individual's rights in all directions, and cursed the human race with the unutterable woes of tyranny and oppression. The democrat, enlightened by the study of past ages, and still more by the study of human nature as it unrolls itself to the observer, in the consciousness of the individual, comes forward to-day, and summoning all governments,—whatever their forms,—to the bar, tells them in the name of God and Humanity, that they have no law-making power, that they must limit their legislative functions to the discovery and promulgation of the law, that they must lay aside the robe and diadem, the sceptre and the sword, and sit down at the feet of Nature, as simple disciples; that they must study to conform their enactments to the enactments of God, which are written in God's book, the universe, and especially in the universe in man; and that they must deem it their duty and their glory, to leave man and society free to achieve the destiny to which God hath appointed them. It will be long before this lesson will be heard or regarded. The mania for governing has become too universal to be speedily cured. But we need not despair. The world rolls on, and becomes wiser with each revolution. Governments are meliorating themselves. The doctor of medicine begins to admit that, notwithstanding the efficacy of his drugs, nature is the best physician; and the time may not be so far distant as our fears would indicate, when the doctor of laws shall own that nature is the best and only lawgiver. That time must come. The human and divine laws must become identical, the Son must be one with the Father, and the God-man be realized.

Democracy takes care not to lose the man in the citizen. In the free states, or rather free cities, of antiquity, there were rights of the citizen, but no rights of man. As a citizen, the individual might use his personal influence and exertions in making up the decision of the city; but when the decision was once made up, he was bound in conscience, as well as compelled by physical force, to yield it, whatever it might be, the most unqualified submission. He had no rights sacred and inviolable, beyond the legitimate authority

of the city. In a question between the city and himself, he could demand nothing as his right. The city was in no way responsible to him; but he owed it every thing he had, even to his life. Athens condemns Socrates to death, and sends him to prison to await his execution. His friends provide the means, and urge him to escape. No; Socrates is a conscientious man. He knows his duty. Athens has condemned him to die, and he is bound, as a good citizen, to submit to her sentence. He drinks, therefore, the hemlock at the appointed time, of his own accord, and dies in discharge of his duty to the laws of the city of which he acknowledged himself a citizen. As a citizen of Athens, Socrates knew he could not save his life, without incurring the guilt of disloyalty. He had no rights as a man, that he might plead. He felt himself as much the slave of Athens, as the Persian was of the "Great King." His rights as a man were sunk in those of the citizen, and those of the citizen were sunk in those of the city.

Here was the great defect of ancient democracy. In Athens, in any of the ancient republics, there was no personal liberty. One individual might indeed call in the city to maintain his rights, in a dispute with another individual; but beyond this, he had no rights. There was municipal liberty, but no individual liberty. The city could bind or loose the individual at its will, declare him a citizen, or degrade him to a slave, just as she deemed it most expedient. The city differed in no respect from an absolute monarchy, save in the fact, that the absolute sovereignty, in the case of the city, was supposed to be vested in the majority of the citizens, instead of being vested in one man, as in the monarchy. But she was as absolute, and in case she could get a majority of voices, she might go as far, and play the tyrant to as great an extent, as the king of Persia himself. Her democracy was then by no means liberty. It was liberty, if you will, for the city, but none for the individual man. The individual man was not recognized as an integer; he was, at best, only a fraction of the body politic. He was, in truth, merely a cypher; without inherent value, augmenting the value of the city, indeed, if placed at her right hand, but counting for nothing if placed at her left hand. But, thanks to the feudal system, and still more to Christianity, an element is introduced into the modern city, which was unknown in the ancient, the element of Individuality, by virtue of which the individual man possesses an intrinsic

value which he retains in all positions, and instead of a fraction, becomes a whole.

Modern democracy, therefore, goes beyond the ancient. Ancient democracy merely declared the people the state; the modern declares, in addition, that every man, by virtue of the fact that he is a man, is an equal member of the state, —universal suffrage, and eligibility, two things the ancients never dreamed of,—and that the state is limited by justice, or, what is the same thing, the inalienable Rights of Man. These inalienable rights of man are something more than the rights of citizenship, or certain private rights, the rights of one man in relation to another, which the state is bound to protect; they stretch over nearly the whole domain of human activity, and are, in the strictest sense of the word, rights of the individual in relation to the state, rights of which the state may not, under any pretence whatever, deprive him, and to whose free exercise it may, in no case whatever, interpose any obstruction. In the ancient democracies the individual, if a member of the ruling race, was a citizen with duties; in the modern, he adds, in theory, to the citizen with duties, the man with rights. Democracy, as we understand it, does not give all the rights to the state, and impose all the duties on the individual. It places the state under obligation to the citizen, in the same manner, and to the same extent, that it places the individual under obligation to the state.

This, if we mistake not, is a novelty. The old doctrine, and the one yet prevalent, recognizes in the state nothing but rights, and in the individual nothing but duties. We hear not a little of the responsibility of citizens to the state. Patriotism, although not recognized in the Christian code, is made one of the cardinal virtues. Men must love their country, support its government, give it their time, their talents, their property, and, if need be, their lives. But what may they claim in return; that is, demand as their right? The privilege of paying taxes and—a grave. The responsibility of society to the individual sounds as a strange doctrine in our ears. Few admit it, and fewer still comprehend it. The state, we deny not, owns that it is bound to act the part of judge, between man and man, and to vindicate him whose rights a brother invades; but it owns no obligation, in a question between itself and the individual man. It may take all he hath, and give him nothing in return, unless it please. If he trespass on its rights, it may

send him to the tread-mill, the galleys, the dungeon, the scaffold, or the gibbet; but he has no right to do aught in his own defence against its invasions. He has no rights which he may hold up, and in the name of God and Humanity, command it to respect. However rudely authority may treat him, grossly invade what in truth are his rights, however insupportable the burdens it may lay on his shoulders, he must not even protest. It can do no wrong. But happily this old doctrine is giving way. Governments are beginning to comprehend that they are not created merely for the purpose of laying and collecting taxes, that they are servants, or rather agents, and not masters, and that it is their mission merely to see that what eternal justice ordains, be respected and obeyed alike by themselves and the individual.

Democracy declares that the state, as well as the individual, has rights and duties. Where the rights and duties of the individual begin, there end those of the state; where those of the state begin, there end those of the individual. Where is this point? This is the great political problem of our epoch. The conciliation of individual with social, and of social with individual rights, and the subordination of all social and individual action to the laws of justice, the law of nature, or the law of God, is the mission of the moralist and politician throughout Humanity's whole future.

Something in reference to the first of these problems has been attempted in all countries, which have adopted constitutional governments. In this work, England claims precedence of all other nations. She has been the first, we believe, to establish a constitutional government. She has done more than any other nation for the extension of the practice of individual liberty, though, it must be admitted, she has done less than some others to enable the world to legitimate that liberty as a right. Her citizens have a large share of practical freedom; but, in theory, they hold it not as a right, but as a grant. And they defend it not by an appeal to the rights of man, but by an appeal to certain parchment rolls, carefully preserved in the archives of state. Magna Charta is not an enumeration of natural rights, but a grant,—a forced grant, if you will,—of certain specified privileges. Her bill of rights, drawn up in 1688, is the same. Her parliament assembles by virtue of a writ from the king, not by virtue of the right of the people of England to be represented. Her liberty, in a word, is an ad-

mirable thing as a fact, but totally indefensible on the only ground on which liberty is defensible at all, that of natural right. Of this the Englishman has an instinctive sense at least, for he never calls his liberty by the broad name of the natural liberty of man, but *English* liberty; and the English nation, while it has everywhere contended for liberty as a grant, has spared neither money nor blood to suppress it, wherever it has been asserted as a right. English liberty rests solely on compact, and is defended solely by an appeal to charters and precedents. Hence, the contempt with which all English statesmen speak of "abstract right," and their uniform practice of legitimating their measures, not by justice, but by precedent. The minister of state entrenches himself behind a wall of precedents; the member of parliament asks for precedents; the lawyer alleges precedents in favor of his client; the judge decides according to the precedents; and no one thinks of inquiring what is right, but what are the precedents? This is all in perfect keeping. An Englishman has no business to inquire for justice; for his liberty is a precedent and not a right, founded on precedent not on justice; though it must be said in his favor, that his precedents are often coincident with justice.

France, if we mistake not, has taken a step beyond England. We do not mean to say that France has more liberty than England, as a fact, but she has more as a right. The king has ceased to *octroyer* the charter; he accepts it, and in theory, it emanates from the people. The French people are therefore the sovereign of the king. This is much; it is at least the entering wedge to freedom. The old monarchy of Louis XIV. is abolished, the old feudal nobility is extinct, and the *bourgeoisie*, or middle class, is now on the throne. This class is the one in every community the most praised; and it is always accounted the most virtuous. Perhaps it is so. It certainly has some very respectable virtues. It is composed of merchants, bankers, manufacturers, lawyers, large farmers, in a word, of the stirring, business part of the community. It has no affection for hereditary nobility, and none for the doctrine of equality. It has no objection to levelling down to itself those who are above it, but it has an invincible aversion to levelling up to itself those who are below it. It demands a laboring class to be *exploited*, but it loves order, peace, and quiet. These, however, it knows are incompatible with the existence in

the community of an ignorant, vicious, and starving populace; it, therefore, will attend to the wants of the lower classes, up to a certain point. It will build them, if need be, churches, and establish ministries for the especial purpose of teaching them to be quiet; it will furnish them with the rudiments of education, see that they are fed, clothed, maintained in a good working condition, and supplied with work. All this it will do for those below itself; and this, though not enough, is more than a little; and when this is done more will be undertaken. This is the first step; and when the first step is taken, the rest of the way is not difficult. The *prolétaires* soon disappear, and the *canaille* become men and citizens. We are, therefore, far from deprecating, with some of our friends, the "monarchy of the middle classes." We believe its reign, in a certain stage of social progress, not only inevitable, but desirable. We believe no worse calamity, could at this moment befall France, than the overthrow of the present dynasty of the *bourgeoisie*. Its reign will and must be salutary, however far short it may come of satisfying the wishes or the views of the ardent friends of liberty It has a mission to execute, and when it shall have executed its mission, it will then give way to the monarchy, not of a class, not of an order, but of Humanity, of justice. France appears to us to be on the route to freedom. May she obtain it! With her fine social qualities, and after all her toils, and struggles, and sacrifices, she deserves it.

But it is to our own country that we must look for constitutional government, in the worthiest sense of the word. In the bills of rights which precede several of our constitutions, we have attempted to draw up an inventory of the natural rights of man, rights, which authority must ever hold sacred, and which the people, in their associate capacity, can neither give nor take away, in no shape or manner, alter or abridge. In the constitution of the United States, and in those of the several states, we have attempted to define the natural boundaries of the state, to fix its authority, and to determine the modes of its action. These constitutions and these bills of rights may be very imperfect; they may not enumerate all the rights of the individual, and they may not accurately define the powers of the people in their capacity as a state; but if so we may perfect them at our leisure. They recognize the great principle for which we contend, that the people are not absolute,

that the individual has rights they cannot alter or abridge, and which it is the duty and the glory of authority to preserve untouched, and which it may neither invade nor suffer to be invaded. They teach us that if society has powers the individual must obey, the individual has rights society must respect; that if the people as a body politic may do some things, there are some things they may not do; and that if majorities may go to a certain length, there is a line they may not pass. They teach us then what we have denominated the great democratic doctrine, and they prove that doctrine to be the doctrine of the American people, however far short they may fall of its perfect realization.

There may, indeed, be some among us, who, affected by their reminiscences of English whiggism, regard our constitutions and bills of rights, not as attempts to enumerate the natural rights of man, and to define the natural powers of government, but as compacts between the people as individuals, and the people as a state, or, more properly, as declarations of what the people in convention assembled have willed to be the rights of individuals, and have ordained to be the powers of government. According to these persons, our liberties are not, in the strict sense of the word, rights, but grants. They are not grants from what is technically called the government, but from the people in convention assembled. They are not limitations of the supreme authority of the state, but favors which that authority is pleased to confer on its subjects. The people in convention assembled might have willed, had they chosen so to do, that the powers of government should be more or less than they now are, or that our rights should be different from what they are now declared to be. They were competent to draw the boundary line between the authority of the state and the rights of the individual where they pleased. By meeting again in convention, they may unmake all our present rights, and make such new ones as seem to them good.

But this view of our bills of rights and constitutions, we are not prepared to admit. It implies the absolute sovereignty of the people, a doctrine we have denied and refuted. The people, neither in convention nor out of it, can make or unmake rights. If they can, if they may bind or unbind as they please, then are we, as we have already shown, absolute slaves as individuals to the will of the majority. If we allow that the people make the rights of the individual, we deny the validity of his rights, and deprive

him of every thing to oppose to the tyranny of the many. Bills of rights and constitutions can avail him nothing when it is a question, not between him and the ministers of state, but between him and the state itself. They limit the action of his majesty's ministers, but not of his majesty himself. But this is not the fact. If these bills of rights and constitutions enumerate on the one hand all our natural rights, and recognize nothing to be a right which is not a right by decree of justice; and if they on the other hand actually define the powers of government, they are unalterable, and are as much binding on the people in convention, as they are on the people's ministers of state, or on the individual. In denying sovereignty to the people, we deny that the people can make or unmake rights, bind or unbind; we limit their functions to the discovery and promulgation of the law, as it is in justice, which is anterior and superior to all conventions. Consequently our rights, in truth, are the same before as after the sitting of the convention. If we had no rights before, we have none now.

It is true that, in the form of our bills of rights and constitutions, there are some things which would seem to authorize this English interpretation of them; and no doubt many statesmen and most lawyers have so interpreted them, and done it very honestly too; but in reality our institutions are fundamentally distinct from the English, based on an entirely different idea; and instead of interpreting our bills of rights as grants, we ought to interpret them as an attempted inventory, more or less exact, of the natural rights of man; and our constitutions, instead of compacts, should be regarded as attempts to determine and fix the legitimate powers of government. They are shields interposed between the minority and the majority, between the individual and the people. The people say to the individual, and the majority say to the minority, by these instruments, not merely that they *will* exercise their authority according to the rules herein specified, but that, errors excepted, they have no *right* to exercise it according to any other rules. Constitutions are not needed by majorities; they are needed merely as a moral force by the minority, who want the physical force to protect themselves against the aggressions of the majority. They are not needed, as some suppose, to constitute the people a body politic. The people are as much a body politic, before assembling in convention and adopting a constitution, as afterwards.

Bodies politic, rights of societies or of individuals, are not things to be created by a few arbitrary slopes, curves, and angles on parchment. Right and wrong, for governments, individuals, and societies, for cities and citizens, are eternal and immutable.

For ourselves, we have no patience with the notion that we hold our liberties as grants. We do not like to be sent to rummage in the dark and dusty cabinets of old state papers, and to decipher old worm-eaten parchments, in order to find out what our liberties are, and what is the authority by which we may legitimate them. The charter, by virtue of which we legitimate our rights, is no charter engrossed on parchment, but one which God Almighty has engrossed on the human heart. The Magna Charta, to which we appeal, is no grant forced from King John, King Edward, King Harry, King William, nor any other king, from no hierarchy, no aristocracy, from no democracy or conventions of the people, but that which God gave us, when he made us men, and by virtue of which we are men. We consult no constitution to learn what our rights and duties are, but the constitution of human nature itself. And all constitutions which do aught but faithfully transcribe that, we declare null and void from the beginning. We are free, not because the king wills, not because it is the good pleasure of the nobility, not because the priesthood grants permission, not because the people in convention ordain, but because we are men. It is not a privilege of American citizenship, but a right of universal Humanity.

By assuming this position, democracy gains a vantage ground for Humanity. If we hold our rights not by virtue of compacts, grants, or decrees of conventions, then we hold them by virtue of our human nature. Our rights and duties belong to us as men, as human beings. Then all who are men, human beings, have the same rights and duties. If all have the same rights and duties, then, in matter of right and duty, all men are equal. Hence, the grand, the thrilling, tyrant-killing doctrine of EQUALITY,—THE DOCTRINE THAT MAN MEASURES MAN THE WORLD OVER. Men may be diverse in their tastes, dispositions, capacities, and acquirements; but so long as they all have the same rights and the same duties, so long it may be affirmed of them with truth, that they are equal one to another, in all respects in which equality does not tend to lose itself in identity. This doctrine will not remain unfruitful.

If all men have equal rights and duties as individuals, then is society bound to treat them as equals. If she exalt one or depress another, confer a favor on this one and not on that, place one in a more favorable position for the enjoyment of his rights or the performance of his duties than another, then is she partial, and therefore unjust, therefore illegitimate; then does she disturb the original equality, which God established between man and man, and therefore does she become an usurper, to be driven back to her legitimate province. This rule is broad; it reaches far, but society will one day observe it.

No government or society has ever yet respected this equality. In the Grecian and Roman city, the individual, as we have seen, counted for nothing. There were municipal rights, but no rights of man. The city might do what it pleased. The same remark may be made of all aristocratic and monarchical governments. All, like the English parliament, have called themselves omnipotent, have usurped all the rights of man, and claimed them, as their own property. Claiming, as their own property, all possible rights susceptible of being exercised by individuals, they have claimed, as a natural consequence of this, the right to parcel out the exercise of these rights to individuals or to corporations, as they pleased. Hence PRIVILEGE, a private law, by which authority confers a special favor, or grants to an individual or a corporation the right to do what he or it had not the right to do before, or exempts him or it from a duty, which was previously obligatory. Authority, under the character of a privilege, confers on this man the exclusive right of baking all the bread for a given number of people, upon that one the right to distil corn into whiskey, upon this company the exclusive right to buy and sell slaves, and upon that one the right to traffic at a certain place in certain kinds of foreign productions, upon this one the right to wear a certain ribbon or garter, and of receiving the income of certain lands or offices. We need not be particular on this head. Society is and ever has been filled, and covered over, with privileges of every name and nature.

Our first emotion, on contemplating this immense system of privilege, which has grown up through successive ages, is that of indignation. We go even so far as to rail at the privileged, and to charge the whole to their selfishness and rapacity. But after a while, after having penetrated more deeply into the matter, we calm ourselves, and suppress our

wrath and indignation. The evil lies not at the door of the privileged alone. Few, at least not many, of the unprivileged would have refused to accept these privileges, had they been offered them. Of those who declaim against privilege now, not the smallest half do it somewhat on the principle that the fox declaimed against the grapes. The error is not in the privileged, the evil is not in the fact that one set of men rather than another enjoy the privileges; but in the fact that authority ever presumed to have any privileges to grant, any favors to confer. The evil lies not in the fact that privileges have been conferred, but in the fact that governments have been allowed to usurp, and hold as their own, all the rights of the people as individuals. Having usurped these rights, having robbed them from individuals, governments could, perhaps, do no better than to parcel them out under the name of privilege. It was only under this name, only by favor, that individuals could get back some portion of that of which authority had robbed them. Unequal as this must necessarily be, in its bearing on the whole mass of individuals, it was nevertheless better to get back something in this way, than to be left entirely destitute. He, who has been robbed of his all by the highwayman, can sometimes do no better than to accept back part of the contents of his purse as a present.

It is true that what was granted as a favor, should, if granted at all, have been granted as a right; but every favor granted weakened, in the end, the government which granted it, and did something towards raising it up a successful rival. Every individual who became one of the privileged, became one who would not easily be reduced to slavery again. When the crisis came between him and authority, he would claim his privilege as his right, and defend it with his life. Paradoxical as it may seem, modern liberty is the natural, if not the legitimate, child of privilege. These special grants and monopolies, which are so abhorrent to democracy, have been the means, or one of the means, by which the mighty Demos has broken himself loose from the grasp of the monarch, and become strong enough, and wise enough, to demand, as his right, what he had formerly been proud and most thankful to receive as a boon. These special grants and monopolies have, in reality, been victories gained by the people over their masters, so many provinces wrested from the dominion of the usurper. The system of privilege, therefore, though founded on

usurpation, and unjust and unequal in its bearing, has been the means, or one of the means, under God, of carrying onward the progress of society, and of restoring to individuals, in some measure, the exercise of rights of which authority had violently dispossessed them.

But while we admit all this, while we admit and even contend, that during the past under the circumstances which existed, privilege was one of the means by which individual freedom was to be obtained, we contend that Democracy is right, to-day, and in this country, in asserting herself, as "equality against privilege." For a time privilege was to be resorted to, as we sometimes resort to one evil to cure another; but it needs no argument to prove that that time has gone by, and that the doctrine of privilege has ceased to be the doctrine of progress. Humanity demands to-day her rights; she has ceased to solicit favors. She makes no war upon the privileged few; for, aside from their character as the privileged, they are her children and equally as dear to her heart as any of the other members of her vast family; but she proclaims in a voice which all must hear and shall respect, that all which any one may, in obedience to justice, enjoy, he may demand as a right, and that he needs no patent from human authority, to empower him to do whatever is right in the sight of God, and that all the patents in the world cannot make it just for him to do what in the sight of God it is wrong for him to do.

Democracy, we repeat it, does not declaim against men for having accepted privileges when it was admitted that governments had them to bestow; but it tells governments, and the people in this country, as the only government we acknowledge, that they have no privileges to grant, no favors to confer. They have nothing to deal out to individuals. If they have favors to bestow, will they be good enough to tell us where they got them? Did they take them from individuals? Then have they no right to them. What belongs to the individual can never become the rightful property of the government. If it was ever the property of individuals, it is now, and individuals may possess it without asking permission of the government. If the powers in question be not individual rights, the property of individuals, then has government no right to confer them, and the individual no right to receive them. Governments can confer on individuals no powers which God has not given them; and, if individuals claim, by authority, that

which is not theirs by divine right, or do, under cover of man-made law, what is not authorized by God's law, they are guilty, and must be condemned, if not in the civil court, at least in the court of conscience. Governments have, therefore, no privileges to confer, and individuals have no right to ask or to receive them. The government can confer on one individual only what it has robbed from him or from another. Has it a right to rob one individual for the sake of enriching another? or is it desirable that it should first rob a man of his rights, and then give them back to him in the form of a present, or a privilege? Whenever governments forbid this man to do what he has a natural right to do, or authorize that man to do what he has not a natural right to do, they assume the power to readjust the regulations of infinite wisdom, and to recast the handy-work of God. We know of no governments that have the right to assume so much. We have a profound respect for the wisdom and governmental skill manifested by those who are charged with the management of our state and national governments; but we very much distrust their capacity to enter the courts of heaven as cabinet ministers to the All Wise. It is enough for even our enlightened governments, in this most enlightened country, to sit down at the feet of great Nature, as humble disciples, content to learn and obey what God ordains.

The great error of government, in all ages of the world, has been, that of counting itself the real owner and sovereign disposer of the individual,—that of disfranchising all individuals, and then pretending to redistribute individual rights, according to its own caprice, interests, or necessities. To put an end to this system of privilege is now the great aim of democracy. Its object is to restrict governments, whether royal, aristocratical, or popular, to their legitimate province, and individuals to their natural rights, and to teach both to perform those duties, and those duties only, which everlasting and immutable justice imposes. To this it steadily makes its way; for this it struggles; and this it will ultimately achieve.

The reduction to practice of the theory we have now imperfectly, but we hope distinctly set forth, will demand great changes, and more changes, perhaps, than any one can foresee; and changes, too, which can be introduced at once, in no country, without violence, and probably not without bloodshed and great suffering. He who pleads for justice

will not be anxious to promote violence, bloodshed, or suffering. There may be times when the kingdom of heaven must be taken by violence, and when a people should rise up and demand its rights, at whatever sacrifice it may be. But there is and there can be, in this country, no occasion for any but orderly and peaceful measures, for the acquisition of all we have supposed. We must not dream of introducing it all at once. We must proceed leisurely. Let the men of thought speculate freely, and speak boldly what comes to them as truth; but let the men of action, men who have more enthusiasm than reflection, greater hearts than minds, and stronger hands than heads, guard against impatience. Practical men, men of action, are, after all, the men who play the most mischief with improvements. Our principle is, no revolution, no destruction, but progress. Progress is always slow, and slow let it be; the slower it is the more speed it makes. So long as we find the thinkers busy canvassing all great matters, discussing all topics of reform, and publishing freely to the world the result of their investigations, we have no fears for the individual, none for society. Truth is omnipotent. Let it be uttered; let it spread from mind to mind, from heart to heart, and in due season be assured that it will make to itself hands, erect itself a temple, and institute its worship. Set just ideas afloat in the community, and feel no uneasiness about institutions. Bad institutions, before you are aware of it, will crumble away, and new ones and good ones supply their places.

We hold ourselves among the foremost of those who demand reform, and who would live and die for progress; but we wish no haste, no violence in pulling down old institutions or in building up new ones. We would innovate boldly in our speculations; but in action we would cling to old usages and keep by old lines of policy, till we were fairly forced by the onward pressure of opinion to abandon them. We would think with the radical, but often act with the conservative. When the time comes to abandon an old practice, when new circumstances have arisen to demand a new line of policy, then, we say, let no attachments to the past make us blind to our duty or impotent to perform it. All we say is, let nothing be done in a hurry, and let no rage for experiments be encouraged.

We are far from being satisfied with things as they are. We have had, perhaps, our turn with many others, of

mourning over the wide discrepancy there is between the American theory and the American practice, and days and nights have given to the question, How shall the evil be remedied? The only answer we can give is one, perhaps, that will show little more than how ineffectually we have inquired. All we can answer is simply, Let each man keep at work freely and earnestly in his own way; let all labor together, to raise the standard of thought, to give a higher, freer, and fresher tone to American literature; more purity and rationality to our theology; more depth and soundness to our philosophical speculations; to embody less of expediency and more of Christ in our systems of morality; and withal, let there be fervent prayer for more faith in God, in Truth, in Justice, in Humanity, and then,—let things take pretty much their own course. The whole that can be done may be summed up in the words, Let reformers do all in their power to EDUCATE THE PEOPLE, AND THROUGH THE PEOPLE THE GENERATION TO COME.

PROSPECTS OF THE DEMOCRACY.

[From the Boston Quarterly Review for January, 1839.]

In all countries where there is life, where thought is active, and has scope to manifest itself in some degree, the community is divided into two parties more or less equal in numbers and strength. One party may be termed the stationary party, the party whose object is to retain things as they are, or to recall the order that is passing away; the other party may be termed the movement party, the party whose leading object is always to develop and improve the existing order, or to introduce a new, and, as it hopes, a better order. The members of the first named party are usually that portion of the community whom the existing order, whatever it may be, most favors, or who hope the most from things as they are; and consequently of those who have, or fancy they have, the most to lose by a change: the members of the last named party are, in general, those on whom the burden of the existing order chiefly falls; who suffer the evils of things as they are, and of course, those

who have the most room to hope that a change will better their condition.

They whom the existing order of things most favors are in most countries the few; they whom it favors the least are the many. The interest, then, sought to be promoted by the stationary party, is necessarily the interest of the few in contradistinction to that of the many. Its object is always to secure or increase the special advantages of the few over the many. It is therefore always the party of privilege,—the aristocratic party. The movement party is the opposite of the stationary party. Its object is to diminish the privileges enjoyed by the few, and to introduce as great a degree of equality as is practicable among all the members of the community. It is therefore the party of equality, and consequently, the democratic party. The war which is ever carried on between these two parties, whatever the name it may bear, or the forms it may assume, is always, at bottom, a war of EQUALITY AGAINST PRIVILEGE.

These two parties may be found in every country in Christendom; and in every country in Christendom does the war of equality against privilege rage with more or less fierceness, and with prospects of an issue more or less favorable to the movement or democratic party. Here, as well as in all other Christian countries, does this fearful war rage; and perhaps never with more fierceness than at this present moment. But equality is stronger here than elsewhere; it has gained here more than anywhere else,—has achieved more brilliant and decisive victories, and conquered a larger extent of territory. It therefore comes to the battle with high hopes, and with great confidence in its own strength, and the terror its name inspires. Nevertheless it can count on no easy victory. Privilege exists here,—has existed here from the origin of our government,—and will exist much longer. Its forces are numerous, well disciplined, well furnished, and liberally paid; and they promise to do effectual service in its cause.

These two parties have always existed here, and they showed themselves very distinctly in the convention which framed the federal constitution. The party of privilege, the aristocratic party, feeling themselves in the position to wield the power of government, and of course to wield it in their own favor, asked for a strong government, —one capable of holding the people in awe, in check, in submission. The party of equality, the democratic party,

on the other hand, distrustful of governments, in consequence of having suffered from their abuses, demanded a weak government and a strong people; so that the few, by seizing its reins, should not be able to make the government trample on the rights and the interests of the many. The party of equality triumphed, so far as the organization to be given to the federal government was concerned.

This triumph threatened to be fatal to the party of the few. Equality was proclaimed, and the death-warrant of privilege was signed. The partizans of privilege took the alarm, and resolved, come what might, to save its life and prolong its reign. But how was this to be done? Not openly, avowedly, directly; but covertly, indirectly, while professing and appearing unto the party of the many to be laboring for the good of the whole people. They must, while seeming to yield to the popular voice, gain possession of the government, and place themselves in a position to control its measures.

This, after all, was not so difficult as it seemed. Governments cannot operate without funds; consequently, they who can control its funds, or the sources whence it obtains them, can control its action. By connecting the fiscal concerns of government intimately with the business operations of the country, they who have the control of those operations, necessarily control the government.

Consequently, the first effort of the aristocratic party, after their defeat in the convention, was to bring about this connection. This they did, first, by funding the national debt, and making thereby a portion of the capitalists the creditors of the government; and secondly, by chartering a national bank, and making it the depositary of the government funds, which were to be used as the basis of loans to the business men. The party of privilege became, as a matter of course, the purchasers of government stock, and the owners of the bank; they became, therefore, the creditors of the government, and through the bank, sustained by government funds, the creditors of the whole trading community, and through the trading community of nearly the whole population; and therefore able to exercise over both government and people the all but absolute control which the creditor exercises over the debtor. With this control the aristocratic party cared little for the democratic forms of government the people in their simplicity had adopted; nay, they became partial to those forms, for under them

they could carry their measures into effect without suspicion, and make it believed that they were approved and carried into effect by the people themselves.

This was the system early devised and adopted to defeat the people, and prolong the reign of privilege. We say not that it was wholly framed beforehand, "with malice prepense," nor that all who supported it foresaw all its bearings. It was doubtless adopted in most cases instinctively, because the interests of those by whom it was adopted led to it; and because some whom a portion of the people respected supported it. Be this as it may, such was the system, briefly given, adopted by Hamilton, who thought altogether more of guarding governments against the turbulence of the mob, than the people against the tyranny of governments. Such was the system sustained by the old Federal party, and such, too, is the system, unless we are grossly deceived, sustained by its veritable successor, the modern Whig party. Hence the importance of the currency question; hence the bearings of the independent treasury bill. The Whig party, at least "their leaders," wish to retain the government in the hands of the party of privilege; and they are well aware that they can do this only by a national bank, which shall centralize the money power, and give it unity of aim and effort. The democratic party, —the real democratic party, we mean, whatever its name, —wish for an independent treasury, because it is the only treasury known to the constitution, and because they would emancipate the government from the fatal thrall of the creditor influence, and enable it to feel and obey the impulse of the popular will.

Here is the great question which now divides the country: —independent treasury, and a government free to follow the democratic will, or a national bank, and a government and people under the dominion of the party of privilege. The question is one of magnitude, of immense bearings; altogether more so than that which induced our fathers to take up arms against the mother country. There is a deeper principle involved in the question now at issue, than in that of the duty of "three pence a pound on tea," which our fathers refused to pay. If we had failed in our effort to resist foreign taxation, we should have been externally enslaved; but if we fail in our effort to resist the rechartering of a national bank, and to secure the independent treasury, we become enslaved both externally and internally. The

recharter of a national bank is a regular installation of the money power, as the hereditary sovereign of this country, who cannot henceforth be dethroned without one of those social convulsions, of which we have had an example in the French revolution.

Well, what is the prospect? What will be the issue of this fearful and protracted war of equality against privilege? Which party will win the day? As yet neither party has won. The battles thus far fought have been very nearly drawn battles, and both parties have felt it necessary to retire and recruit their forces. What will be the issue, we know not; though we have no fears but the right in the long run will triumph. The difficulty of foreseeing the immediate result arises from the great confusion of parties. On the side of privilege are whole battalions who belong to the army of equality; while more than one division of the army of equality is led on by a chief, whose only appropriate place is in the ranks of the army of privilege. This confusion is disastrous. Were the opposing parties fairly drawn out, were there no democrats fighting for privilege, and no aristocrats pretending to fight for equality, the contest would not be doubtful. If all true Whigs, according to the present meaning of the term, were on one side, and all true democrats on the other,—were the line, which separates the two parties by which the country is now divided, drawn accurately between the partisans of privilege and the friends of equality, there would be no engagement; the independent treasury would be at once established, and the project for a national bank abandoned in despair. For, there can be no question that the great mass of the people of this country are thoroughly democratic, and that they have the moral power to make every needed sacrifice for the triumph of democracy. No measure, clearly seen to be anti-democratic, can stand the least possible chance of succeeding. No party, not believed to be democratic, can rise even to respectable minority.

Of this our late elections have afforded us ample proof. We do not in this respect refer to the successes of the Democratic party, so called; for in fact neither party has gained much to boast of; though the Democratic party has gained somewhat since 1837; but we refer to the claims which both parties set up. The Whig party, which, whether right or wrong, we have been in the habit of regarding as the legitimate heir of the old Federal party, modified merely to meet

the new questions which have come up, has not been willing to rest its claims on the fact of its being the continuation of that party; but it has called itself democratic, and challenged success on the ground of being more democratic than the Democratic party itself. Why has it done this, if not from the conviction that democracy is the dominant faith of the country, and that all open and avowed opposition to it must be unavailing? In doing this, has it not said that its success must be proportionate to the belief it can produce that it is the real democratic party? that to conquer it must steal the democratic thunder, and swear that it is Whig property? If so, it is well; it is a proof that the American people are sound at the core, and that nothing is necessary to carry any measure but to make it be seen to be a truly democratic measure.

The course pursued by the Democratic party, so called, for the last year, has also testified clearly to the same point. We could say something against the party which has called itself democratic, were we so disposed; especially in the state of New York, where it has been twice so severely rebuked. The failures of that party have been entirely owing to itself. A party really democratic is in harmony with the dominant sentiment of the American people, and must be invincible. But the party which has borne the name has not always been true to the principle. Confident in its numbers, its organization, and the prestige of its name, it has taken too little care to be really and truly democratic in its principles. It had too little respect, at least, the men who for a long time gave it its tone, had too little respect for the equality recognized by our institutions, and which the people were craving to see realized. In this fact must we look for the cause of the reverses which it has experienced. No party ever fails or loses ground unless by its own fault; and there is no greater folly, not to say injustice, than for one party to attribute its ill success to the intrigues of another. Let a party be true to the dominant idea of its country, and its success is as certain as the revolutions of the earth. When it deserts that idea, when it loses sight of the principle which makes the life of its country, and depends on something else for success, it fails, and deservedly fails. We are free to confess that the party, calling itself democratic, had, to some extent, at least, lost sight of the democratic principle; it had imbibed some of the doctrines, and adopted the practices, of the party of privilege. And

severely, and justly too, has it been rebuked. But,—and this is the point,—it bids fair to profit by its rebukes, and henceforth to be in fact, as well as in name, the democratic party.

The failures of the administration party, not its successes, are to us the encouraging facts we witness. We say not this because we would see that party driven from power, nor because we have any apprehensions that it will be; but because we believe that party had in many places become exceedingly corrupt. The time has not long gone by, since it was more than the reputation of a member of that party was worth, to be bold and uncompromising in the advocacy of true democratic measures and doctrines. We have not forgottten the manner in which it received, some years ago, the very proposition for an independent treasury which it now puts forth; nor have we forgotten a certain proclamation, which, for its strong centralizing doctrines, surpassed even what the boldest leaders of the old Federal party would have dared put forth under similar circumstances; nor the demoralizing doctrine unblushingly avowed on the floor of the United States senate, that "to the victor belongs the spoils;" nor the reception which was given to the really democratic doctrines proposed by the working-men,—doctrines which are now, in substance, the creed of the party. We have not forgotten these things; but we do not bring them against the party as it now is; we refer to them merely for the purpose of showing that the failures the party has experienced were not uncaused nor unmerited. The party needed to be checked, to be made aware that it would be permitted to possess power, only on the condition of being thoroughly democratic. Its failures were a needed discipline; its reverses, as in the case of individuals, were necessary to purify its heart, and by purifying to fortify it,—to throw it back on first principles, and compel it, as it hoped for success, to place itself in harmony with the great democratic idea which constitutes the life of the country. And it *has* fallen back on first principles; it *has* revived the old party lines, and brought on virtually the same controversy as that of '98. It has done this, and already we see the good effects of it; already do we see its strength increase, and its prospects of success brighten; and if it will but remain true to the creed it now avows, it must soon have the great body of the confederacy with it.

The true,—we say not the nominal,—democratic party,

always relies with a firm faith on principle. It is conscious of its own rectitude, that its cause is the cause of truth and justice; and it knows the people are with it; that the prayers of all good men, the world over, are for it; and that Heaven, with all its omnipotence, stands pledged to give it success. In prosperity it is not elated; in adversity it does not despond; but ever keeps on the even tenor of its way with a serene brow and a tranquil pulse. It confides too firmly in the power of truth and justice ever to resort to artifice for its success. Calmly, but distinctly, it proclaims its great doctrines, which are always the intuitions of the universal reason, and doubts not that in due time those doctrines will embody themselves in institutions, and diffuse their fragrance over the whole earth.

Into perfect harmony with this true democratic party, we think we see the Democratic party, so called, now coming,—and therefore do we hope. If it puts forth the doctrines it now does, and adheres to them in its practice, as we have reason to believe it will, it must secure the coöperation of every man who has democratic sympathies and hopes. As it presents itself to us to-day, it is the true movement party of the country, forming the advanced guard of the grand army of progress now displaying its plumes throughout the civilized world, and promising not to lay down its arms till man everywhere is free, and the true kingdom of God is established on the earth. It is the party of liberty, of humanity, and as such must commend itself to every friend of his race. If it fulfil its present promises, it will realize a truly democratic society; enlist religion, art, science, literature, philosophy, on its side, and prove to the world that man can be really great and good only where the people are sovereign.

The result of late elections and the present aspect of parties, teach us forcibly the necessity of adhering to the great principles which lie at the foundation of our institutions. Our present embarrassments, so far as concerns federal politics, arise from the fact that the Republican party, which came into power with Mr. Jefferson, soon lost sight of the principles of the federal constitution, and gradually came to adopt the principles avowed by the party over which it had triumphed. At the close of the war all the tendencies of the Republican party were to the centralizing doctrines of the Federal party. The amalgamation of the two parties, which followed soon after, was brought about not by the fact

that Federalists became Republicans, but by the fact that Republicans became Federalists. Here is the source of our difficulties,—difficulties which can be surmounted only by going back to the principles of '98, and, in federal politics, planting ourselves firmly on the doctrine of state rights. We must revive TRUE FEDERALISM, and recall the federal government to the few specific objects for which the states in their sovereign capacity instituted it. Let this be done by the Democratic party, and every old Jeffersonian Republican, every young man who comprehends the theory of the federal government, must and will rally to its support. If it does not do this, it will fail, and justly.

In the states themselves, the party must become really and truly democratic. It must go for the whole people; against all monopolies; against all exclusive privileges; against all aristocratic measures; and in favor of mild and equal laws; in favor of equal rights; in favor of education, literature, art, and philosophy. It must plant itself on the primitive fact, that all men are born essentially equal, and that there is something divine in every man. It must be ever on the side of freedom, sympathize with the oppressed, with all who are struggling for their rights. It must be high-toned and moral; confiding in the people, and still more in the immortal vigor of truth and justice.

Then its triumph, though it may not be to-day, nor to-morrow, is certain; and its triumph will be a blessing to the country,—to the world.

But in order to succeed, the democratic party must bear in mind that its hopes of success should rest on the fact, that it rallies around a principle which is planted deep in the human heart, and in the triumph of which entire humanity is interested. The masses are moved only by great and everlasting principles, which touch every individual of the race. Parties, merely as parties, are nothing to the masses; individuals, as simple individuals, are nothing to them. A Clay, a Webster, a Van Buren, a Calhoun, are nothing to them, any further than they are the impersonations of great principles. Show them that this or that man embodies in himself the cause of the millions, that in raising him to office the cause of the millions is secured, and then as the representative of a cause does he become of importance; and it is only then that he ceases to be an object of indifference. No matter how great or how worthy a man is, viewed simply as an individual, the masses will not sustain him, and

ought not to sustain him, unless he represents their cause. This is seen in literature as well as in politics. What has not been said to depreciate Byron? His character has been depicted in the most unfavorable light possible; and critics and reviewers have pronounced his poems destructive of all that is dear to man and society; they have dwelt long and often on the immoralities of which he was guilty; and yet he is *the* poet of the age; everybody reads him; the millions clasp him to their heart, for they recognize in him the poet of humanity; they hear him speaking out for man, for freedom, and declaring in tones that thrill through their inmost souls, —

> And I will war, at least in words (and—should
> My chance so happen—deeds) with all who war
> With thought;—and thought's foes by far most rude,
> Tyrants and sycophants have been and are.
> I know not who may conquer: If I could
> Have such a prescience, it should be no bar
> To this my plain, sworn, downright detestation
> Of every despotism in every nation."

And they claim him as one of themselves, cherish him as the apple of their eye, and defend him as it were with their lives against every adversary who would rise up against him. On the other hand, with all the advantage of private and personal worth, with all the puffing and blowing, and heaving and tugging of critics and reviewers, nothing can be made of Wordsworth. The people do not hear his voice nor follow him. Though he sings of "Beggars," "Waggoners," and "Idiot Boys," and in the simplest strains, his song fetches no echo from the universal heart of humanity. He impersonates no cause; at least, he impersonates not the cause which is dear to the millions. Ever must he live or die as the Poet of the Lakes, and experience the fate of the local and temporary objects he sings. In accordance with the same law, a Webster, with his almost superhuman talents, can wake no response to his appeals. The people do not hear him, do not follow him, because they do not recognize him as an impersonation of their cause. A Jackson, again, carries the people with him. When he speaks there comes an echo from all parts of the republic. Notwithstanding all that is said against him, notwithstanding the virulent assaults upon his moral and personal character, upon his intellect, upon his acquirements, upon his public acts, he secures the masses, because in supporting him they feel they are securing the triumph of their own cause. And if Mr.

Van Buren fail in his administration, it will be because he fails to identify himself in the minds of the people with the popular cause. Let him be really and truly the representative of that cause, and no power on earth can prevent his reëlection.

The contest for men is insignificant. Individuals are nothing,—causes are every thing; and the man who would stand at the head of his country must be the impersonation of his country's cause. Parties, as such, again, are nothing, —causes every thing. Let the standard of the masses be raised, the banner of equality be unfurled, and distinctly seen to wave over the camp of any given party, and the masses shall rally around that standard, joyously enroll themselves under that banner. Let there then be no thought about men, none about parties, but let the whole energy of the soul be given to causes. Seize the right cause, and doubt not the right party will gather round you with the right man at its head. Ideas are omnipotent; bring out the true idea, it will choose its leader, and organize its party. If the Democratic party, so called, adhere to the democratic idea, if it continue to show that it has in its keeping a sacred cause, a cause dear to humanity, and which ought to prevail, it may rest assured of complete success, for the world is under the government of justice, not of iniquity.

If it is asked again, Which of the two parties that now divide the country will succeed? We answer, We know not. But truth and justice reign, and they have decreed that this shall be the land of freedom; and the party which best represents the cause of freedom will triumph. The party which best represents this cause is, in our judgment, at the present moment, the party which calls itself democratic. Since it has fallen back on first principles, it has come into harmony with the mighty spirit of freedom now agitating the world; and we doubt not its ultimate success. Through it now speaks the voice of eternal principle, which is the voice of the people; and the voice of the people is the voice of God; and when God speaks, who dare deny that he will be heard and obeyed?

SLAVERY—ABOLITIONISM.*

[From the Boston Quarterly Review for April, 1838.]

We have not introduced this little volume of Dr. Channing's for the purpose of reviewing it. It has been too widely circulated, and too generally read, to permit such a purpose to be either necessary or proper. The public have long since made up their minds respecting its merits, and are quietly giving it the high rank it deserves. In our opinion, though not wholly unexceptionable, it is the best book that the present discussion of slavery among us has called forth, and the only one, we have met, that we can read with any thing like general satisfaction. With its general estimate of slavery, its lofty moral tone, and its profound reverence for the rights of man, we sympathize with our whole soul; but some of its special views, and the traces of a doctrine tending somewhat to centralization, which we here and there discover, and of which we believe the author to be unconscious, we cannot entirely approve.

We place this work at the head of this article merely for the purpose of testifying in general terms our high appreciation of its merits, and because it gives us an occasion of expressing our own views at some length on the subject of slavery. The subject of slavery is fairly before the public, and it must be met. However much we may regret its agitation at this time, when all thoughts should be turned to the settling of the financial affairs of the nation, we must suffer it to be discussed, and take part in its discussion. We would merely add, let it be discussed calmly without passion, and in a truly Christian spirit.

We say without any hesitation, that we are wholly and totally opposed to slavery, and that we do not consider it any question at all with the American people, whether it be a good or an evil. We believe that question is decided by the Declaration of Independence, and for ever put at rest. To attempt to prove that slavery is wrong, that it is not to be perpetuated, and that it ought to be abolished, as soon as

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**Slavery.* By William E. Channing. Boston: 1836.

it can be, is to insult every true American's mind and heart, and that, too, whether he live North or South of Mason and Dixon's line. We have much mistaken the character of our southern brethren, if there be one among them, that will for one moment contend that slavery is the proper estate of a man.

That man has no absolute right to hold his brother man in slavery, is but a necessary inference from the fact that slavery is wrong. It can never be right, no man can ever have the right to do wrong. Every slave-holder, then, ought to do all he can do to rescue his fellow beings, whether black or white, from the servitude in which he finds them, or to which he may have reduced them. If slavery be wrong, his duty is plain. He must, if in his power, remove it. Here is no room for dispute, no need of argument.

Again, we hold that slavery must and will be abolished. The whole force of modern civilization is against it, and before the onward march of that civilization it must be swept away. To this result we do not believe that our southern brethren are opposed. Some of them may believe that slavery is fixed upon them for ever, may believe that its abolition is impossible, and therefore may undertake to invent good reasons for its continuance; but secretly none of them love it, and the immense majority of them would rejoice to be rid of it.

But while we contend that slavery is wrong, that it is wrong to hold slaves, and that the slave-holder ought to labor with all his power for its abolition, we do not agree with our friends the abolitionists, in denouncing slave-holders, and in declaring that no slave-holder can be a Christian. Reformers should war against systems, not against men. Paul was always careful to have it understood, that he did not "wrestle against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places." For ourselves, we have learned that men may profit by institutions opposed to the best good of humanity, without necessarily being bad men. Many practices, which, in one view of the case, strike us as altogether wrong, in another point of view, appear to us as excusable, if not even as justifiable. The older we grow, the more we see,—we speak personally,—the less and less are we disposed to be censorious. The world is *not* all wrong, every thing is not out of place, and every man is not a devil. Thank God!

we every day acquire fresh faith in human virtue; and while we bate nothing in our zeal or efforts for progress, we become able to look with more and more complacency on the world, and to feel that, of all God's prophets, we are not the only one that is left alive. There are more than we who have not bowed the knee to Baal.

If slave-holding were purely an individual act, we confess, we should doubt the possibility of the slave-holder's being a good man, save at the expense of his intelligence. But slave-holding, in our southern states, for instance, is not an individual but a social act. Slavery is not an individual but a social institution, and society, not the individual conscience alone, is responsible for it. The question is not, Is slave-holding wrong? but, Can a man who adheres to, and attempts to profit by a wrong social institution, be a good Christian man? Must he necessarily be a sinner? This is the question, and we wish our moralists and divines would answer it. It is an important case of conscience, and reaches, perhaps, further than we are ordinarily aware of. Society always has been, and everywhere is, imperfect. All its institutions are more or less imperfect, more or less in opposition to absolute justice. We may all of us be getting our living to-day by means of institutions, as unjust in themselves as abolitionists have shown slavery to be. If no man who adheres to, or profits by, a wrong social institution, can be a good man, that is, a Christian, what shall we do with the upholders of monarchy, hereditary nobility, corrupting hierarchies, with Mahometans, Brahmins, all who live in an imperfect social state, and profit by unjust social institutions? Nay, what shall we do with ourselves: for who of us has any thing which we can say positively has come into our possession without the aid of any wrong social institution? We should, it seems to us, view with suspicion all rules of judgment, which in their operation must overstock hell, and leave heaven an unpeopled desert.

For ourselves, we ask no questions of the slave-holder that we do not of any other man. Is the slave-holder faithful to all his engagements, in the discharge of all the private virtues? Does he cultivate piety towards God and love to man? Does he make slavery as light a burden as he can; that is, does he treat his slaves with kindness and respect? Does he inquire into the character of his social institutions, and do what he can to perfect them? If so, we must call him a good Christian. We know the abolitionists may say,

that it is his duty to free his slaves at once; and so should we, if it depended on his individual will whether he should free them or not. But this matter of freeing the slaves is a matter for the community, rather than the individual slave-holder. As a member of the community, the individual should do all he can do to hasten the period when the community shall unfetter the slave and let him go free. Before that period he cannot free his slaves, even if he would.

But we are told by the South, that this is their affair and not ours, and that we have no right to meddle with it. Is the South right? This brings us to the question, what rights have we at the North in regard to southern slavery? This after all is the real question before the American people, and unhappily this question has become so entangled with other questions, that it is difficult to give it a separate and distinct answer. Our own opinion on the matter we have hinted in a foregoing article, but we deem it necessary, in justice to ourselves and to the cause of liberty, to go more fully into it, and to state more at large the grounds of our opinion. We do this the more readily, because nobody can for one moment suspect us of any desire to palliate slavery or to prolong it. All who know us, know well that we are heartily opposed to every form of slavery, and that our whole life is devoted to the cause of universal liberty to universal man,—a cause for which we have made some sacrifices, and for which we are ready, if need be, to make more and greater sacrifices.

In all that concerns their internal regulations, institutions, and police, we regard the several states which compose the Union, as distinct, independent communities. We are to be regarded as one people, as one nation, only in the several respects specified in the constitution of the United States. In all other respects we are not one nation, but twenty-six independent nations, and stand in relation to one another, precisely as the United States as one nation stands in relation to France, England, or Mexico. We of Massachusetts have no more concern with the internal policy and social institutions of South Carolina, for instance, than we have with the internal police of Russia, Austria, or Turkey. Slavery, then, in the states is not a national institution; that is, not an institution over which the people of the United States, in the sense in which they are one people, have any control. The right of the people of the non-slave-holding

states, in relation to slavery in the southern states, is precisely what it is in relation to it in Constantinople, or in any foreign slave-holding state.

In one respect slavery may in this country be regarded as a national and not as a state institution. The constitution of the United States allows slavery to form one of the bases of national representation. All the states have a legal right to concern themselves with this question. We of the North, if we choose, may undoubtedly use all just means to amend the constitution so that slavery shall not be represented in congress. Whether it is desirable so to amend the constitution, is a question of policy, which we do not now undertake to decide. Slavery in the District of Columbia, and in the territories belonging to the United States, is a different matter from slavery in the states, and, for aught we can see, may constitutionally be acted upon by the congress of the United States. Whether congress should act upon it in the district and the territories, is a question on which good men will differ. For our own part, we wish slavery, when abolished, to be abolished by a concert of all the slave-holding states, together with the congress of the United States. We can see little utility in abolishing it at present in the District of Columbia and the territories. To petition congress to do it, is only to petition congress to do indirectly, what all parties agree it may not do directly, that is, abolish slavery in the states.

Here is the ground of the objection, which the South makes to the reception of anti-slavery petitions by congress. These petitions literally touch the question of slavery only in the sections of the slave-holding country over which congress has exclusive jurisdiction, but really, and in the minds of those who get them up, they are petitions for the abolition of slavery in the states themselves. Does anybody believe that, if congress should grant the prayer of the petitioners, slavery would stand a year in this country? Do not all the abolitionists believe, that the abolition of slavery in the District of Columbia and the territories, by congress, would necessarily involve its abolition in all the slave-holding states? Is not this also the belief of the South? What, then, is the true character of the petitions with which congress is flooded in regard to slavery? Are they not in fact, though not in name, petitions for congress to interfere with the internal police of the southern states? So the South regards them, and on this ground it opposes

their reception. Is the South right in this? Have we a right to petition congress to abolish slavery in South Carolina? Have we a right to petition congress to violate the constitution of the United States? A right to petition it to do indirectly, what it may not do directly, openly, avowedly? Yet we have unquestionably the right to petition congress to abolish slavery in the District of Columbia and the territories, and the South have been unwise and impolitic, to say the least, in denying it. By denying it, they have mixed up with the question of abolition that of the right of petition, which has in reality no connection with it. The abolitionists have by this means been able to make themselves regarded as the defenders of the right of petition, a right dear to all New-England men, from the memory of the struggle of their fathers of England in the seventeenth century with Charles Stuart. And yet, virtually, the South are, in this very controversy, truer defenders of constitutional rights than the abolitionists. The abolitionists are technically, literally right, and the South technically, literally wrong; and hence their efforts work altogether against them, and recruit the ranks of abolitionists by thousands. Abolitionists never rejoiced more sincerely than they did at the passage of Mr. Patton's resolution. Congress, we believe, ought to receive the petitions as the less of two evils, and to treat them with all proper respect.

But to return to the question of the right of the people of the free states to interfere with slavery. What is this right? How far does it extend? The right of the people of the non-slave-holding states, in relation to southern slavery, is precisely their right in relation to any of the social institutions of France or England. They have the same right to labor for the abolition of monarchy or the house of lords in England, that they have for the abolition of slavery in any of the southern states. What is this right? How far does it extend? In our opinion simply to the free and full discussion of the question. As men, as citizens, in this respect, of independent communities, and therefore divested of none of our natural rights by any other community, we have the right to discuss freely, and give our views unreservedly, on all questions which concern humanity. We have, for instance, a perfect right to question the legitimacy of monarchy, to show, if we can, that it is a bad institution, that it is founded in usurpation, that it does great wrong to man, and that it ought to be abolished

forthwith. We may also throw all the light in our power on the means of abolishing it, and offer what we believe to be sound and cogent reasons for abolishing it. So of slavery. We may examine it, publish all the facts we can collect respecting it, speak, print, publish, in the limits of our respective states, fully and freely, our honest convictions of its nature, tendency, justice, injustice, the necessity, the duty, the means of its preservation or removal. This we believe is the extent of our right of interference. A step further than this contravenes international law, and encroaches upon the rights of the slave-holding states.

The right here stated, and to this extent, we claim for ourselves. We claim it on the ground that we are men, and have therefore a right to interest ourselves in whatever concerns men, as men. We claim it on the ground that we are citizens of a state which allows, which guaranties free discussion, freedom of speech and the press, and which no other state has any right to interfere with or seek to control. This right the South must not presume to deny us. While we respect her rights, she must respect ours. If we may not interfere with her legislation, she must not interfere with ours. Moreover, neither the North nor the South has any right to abridge or restrain freedom of discussion, because freedom of discussion is one of the rights of man, and therefore older than governments, and raised above their legitimate reach. The South has erred in denying us this right. In doing this she has struck a blow at our independence, made the abolitionists, with no great consistency, however, appear to be the champions of free discussion, and induced not a few to join them under this character, that never would have joined them as simple abolitionists.

Still, we are inclined to believe, that the South has never intended to deny us the right to discuss, in our own way, the abstract question of slavery. All she has really intended to do, is to assert her right to manage her internal police as she judges proper, and to deny, as a necessary inference from this, our right to interfere with it. The real question at issue between the abolitionists and the South is not whether slavery be good, bad, or indifferent, but whether one state has the right to avow the design of changing the institutions of another state, and of adopting a series of measures directed expressly to that end? This is the question. In all that concerns them as states, these United States are as independent on one another as are England

and France. France has as much right to interfere in the internal police of England, as Massachusetts has in the internal police of South Carolina. Slavery is unquestionably a matter which falls within the powers of the states, as independent, sovereign states. In relation to this question, then, all the states stand to one another precisely as foreign nations. The question then comes up in this shape: Have we the right to avow the design, and to adopt measures to control the internal legislation of a foreign nation? The question needs no answer. Everybody knows that we have not, at least so long as we acknowledge the independence of that nation.

Nor does it alter the nature of the question, that the actual interference is by individual citizens and not by the state. What the state is prohibited from doing, it can never be lawful for the citizens to do. Interference in the affairs of foreigners is as unlawful on the part of the individual citizens as of states. Who will pretend that La Fayette had any more right to interfere in the quarrel between this country and England, than France herself had? And who will pretend to justify La Fayette's interference by international law? France was at peace with England, and La Fayette, as a subject of France, was bound to keep that peace. We adduce not this case to censure La Fayette, whose chivalrous aid to the cause of American independence we appreciate as highly as do any of our countrymen, but simply to show that the obligations of the state bind the citizen. Our Canadian neighbors are now in a quarrel. Has this nation a right to interfere in that quarrel? Certainly not under its existing treaty obligations to England. It may side with the Canadians, but not without involving itself in a war with England. Its duty, if it would preserve its peace relations with England, is to remain neutral. Is not the duty of the citizens the same? Can an American citizen take up for the Canadians, without losing his character of American citizen, and forfeiting the protection of American laws?

If the individual citizen may do in relation to an independent state, what the state may not do, the consequences are not difficult to be foreseen. If the citizens of this state may associate to do what the state itself may not do, all that is requisite to enlist the whole force of the state in that which it is unlawful for the state to do, is to waive the state, and band all the citizens together into what shall be

called a voluntary association. If half a dozen citizens may unite in an abolition society, pledged to emancipate the slaves, all the citizens of the state may do it. And when all the citizens of the state have thus formed themselves into an association, what is that association but the state under a different name? The interference of such an association would be as efficient, to say the least, as that of the state itself. And if the citizens of a state may thus lawfully associate for changing the institutions of foreign nations, we ask, what security can one foreign nation ever have in relation to another? It is of the greatest importance to the peace and safety of nations, that citizens or subjects observe with scrupulous fidelity the engagements of their respective governments. The abolitionists themselves were of this opinion in relation to the interference of our citizens in the affairs of Texas.

Nor, again, will it do to say that slavery is an institution of so peculiar a character, that we may claim the right of interfering with it without claiming the right to interfere with the whole internal police of foreign nations. In the first place it is not an institution peculiar in its kind. Something similar to it is found in every state, in which the law makes any discrimination between individual citizens. The principle which legitimates southern slavery may be found incorporated, if we are not much mistaken, into the constitution and laws of every state in the Union. In every state in which restrictions are placed on the eligibility, as in this state, or in which the law presumes to say who may and who may not exercise the right of suffrage, or in which there are monopolies or exclusive privileges recognized by law, there is the seminal principle of slavery. But waive this, as not essential to our argument. In the next place, we say we have no right to make any inquiry concerning the institutions of foreign nations, for the purpose of ascertaining which of them we have or have not the right of undertaking to abolish. We cannot do this without denying the independence of the nation in question. Do we acknowledge South Carolina, for instance, to be a free and independent state? Do we acknowledge her sovereignty to be absolute, so far as not limited by the constitution of the United States? Then what right have we to take the revision of her doings? Can we do this without virtually denying her sovereignty? Can we deny her sovereignty without giving her just cause of offence? And when we

admit her sovereignty, do we not acknowledge her right to establish such institutions as she pleases? If then she pleases to establish slavery, is it not her affair, and one of which we have debarred ourselves, by the acknowledgment of her sovereignty, from taking any cognizance?

But it may be said, that slavery is unjust, that no state has the right to establish an unjust institution; therefore, South Carolina has no right to establish slavery. Grant it. What then? Who has the right to determine the question, as to the justice or injustice of the institution, South Carolina or we? If she be an independent state, she has the right to be her own judge as to the rectitude of her decisions. She is not accountable to us, and we have no right to araign her before our tribunal. If we believe her decision unjust, we may undoubtedly tell her so; but so long as we admit her independence, we must speak to her as an equal, not as a culprit. We must concede her right to judge for herself; we must disavow the right, and the intention, of dictating to her; and we must confine ourselves to the simple statement of our reasons, as one man may state to another man his reasons for not agreeing with him in opinion. If, however, instead of doing this, we begin by formally declaring her in the wrong, by denouncing her as awfully wicked, by stirring up wrath and indignation against her, by solemnly pledging ourselves not to cease our exertions till we have compelled her to reverse her decision, and by adopting all the measures in our power which we believe conducive to that end, do we not then fail to treat her as an independent state, refuse to acknowledge her right to judge for herself, and are we not, to all intents and purposes, waging war against her?

It will be seen from what we have said, that we do not question the proceedings of the abolitionists on constitutional grounds. We do not believe that we of the North have made a compact with the South, by which we are debarred from interfering with slavery. We find in the constitution of the United States no such compact. None such in fact was needed. Slavery exists in the states by virtue of no constitutional guaranty, but solely by virtue of state sovereignty. The question in relation to it stands precisely as it did before the formation of the national government, and we have precisely the same rights, and only the same rights, of interference with it that we should have had, had no national government ever been formed. The

states are older than the Union, and they retain in their own hands all the rights of sovereignty not, in so many words, conceded to the Union. Now as the disposition of slavery is not conceded to the Union, it belongs, as a matter of course, to the states. By belonging to them it stands precisely as it did before the Union was consummated. As the states before the Union were so many independent nations, the question of slavery in them is to be treated solely as a question between foreign nations. Interference with it in one state by the citizens of another state is to be regulated by international, and not by constitutional law. Had the Union not been effected, everybody knows that efforts by the citizens of Massachusetts to free the slaves in South Carolina, efforts begun and carried on with express reference to that end, would have been a violation of international law, especially if accompanied with perpetual denunciation of South Carolina, and by their very character threatening to disturb her internal peace and tranquillity. Now this, which would have been true without the Union, we contend, is true under it. The South, we think, must therefore place her defence on the ground of state sovereignty. It is as striking against state sovereignty, as denying the independence of the several states, as claiming for the citizens of one state jurisdiction over the legislation of another, that we view the proceedings of abolition societies with suspicion and alarm. To say the least, they assert the justice of a species of propagandism, which, if admitted, must strike at all national independency, and which will not fail to disturb the peaceful intercourse of nations, embroil them in war, and deluge the earth in blood. He who comes forth as the champion of liberty must bear in mind that he is under no less obligation to defend the rights of communities, than he is the rights of individuals. He who loves America, and would live and die for American liberty, should look well before he adopts a course which may embroil the several states in a civil war, or in the end change the relations which now subsist between the national government and that of the several states. Liberty is as much interested in maintaining inviolate the rights of the national government, on the one hand, and especially of the several states which compose the Union, on the other hand, as she is in freeing the slave. In the measures the abolitionists adopt, there is a deeper question involved than that of negro slavery. All who are accus-

tomed to look below the surface of things, may see that it is a question of no less magnitude than that of changing the whole structure of the government of this country, and possibly that of destroying the liberty of the whole American people. When hundreds and thousands of our citizens are banded together to trample on the rights of independent communities in the holy name of freedom herself, we confess we are not a little alarmed for the rights of the individual. One barrier leaped, another may be; and when communities can no longer make their rights respected, what can the individual do?

But we shall be told that all our fears are idle, all our reasonings groundless, for abolitionists do not propose to do any thing more than we have conceded them the right to do; that is, to express freely their honest convictions on the question of slavery. We deny this. The abolition societies, as everybody knows, are not formed for the discussion of slavery, but for its abolition. Their members are pledged to the "immediate emancipation of the slaves without expatriation." Lawyers may have been consulted, and the wording of their constitutions may be technically within the letter of the law, but we know, and everybody knows, that the real end, the avowed end, of their formation is not merely to give utterance to certain opinions on the question of slavery, but to effect its abolition. They are not formed for deliberation, for discussion, but for action, and action, too, within the limits of states of which abolitionists are not citizens.

But we shall be told again, that, admitting the abolition societies are formed for the abolition and not the discussion of slavery, they do not contravene international law, because they adopt for the purpose of carrying their end only legal and constitutional means, such means as the laws of nations permit them to adopt. This undoubtedly is the real ground on which the abolitionists rest their defence. We object to it, because we are not yet able to perceive that the legitimacy of the means, in themselves, can legitimate an unlawful end. It is admitted that the abolitionists have no legal right to emancipate the slaves. Yet the emancipation of the slaves is what they propose to do. They propose to do what the laws of nations prohibit them from doing. Are any means directed to that end lawful to be used?

The abolitionists, it will be said, do not propose to emancipate the slaves, except as the effect of the expression of

their opinions and feelings on the subject of slavery. We question this statement; but admit it for a moment. The abolitionists, unless they choose to break with the slave-holding states, to refuse to sustain the relation of friends to them, and to come into open war with them, are bound by the laws of nations to refrain from all words and deeds which will disturb their peace and tranquillity, stir up insurrection in them, sully their reputation, or excite public indignation against them. Now we may undoubtedly discuss the question of slavery, but not so as to produce any of these results. Free discussion is itself subjected to this restriction. So long as we wish to be at peace and amity with foreign nations, we are bound to treat all their institutions, as their institutions, with respect. We have no more right to denounce them, to slander them, to speak to their prejudice, or to injure them in any way, because their institutions differ from ours, or from what we believe just, than we have an individual whose creed we happen to disbelieve. We may reason against such a man's creed, but we are bound to see that our reasoning against it do not result in any injury to him. If we should represent him as one with whom his neighbors should hold no intercourse, brand him as a sinner of the deepest dye, hire editors of papers to publish him to the world as such, and hold public meetings and pass public resolves to the effect that, if he do not change his creed instantly, he shall be placed out of the pale of humanity, we should most assuredly transcend our rights in regard to him, and give him just cause of complaint against us. Now the abolitionists pursue a course like this towards the slave-holding communities, and they do this for the express purpose of freeing the slave. They may in all this be only giving utterance to their honest convictions and feelings, but have they, under plea of free discussion, a right to utter themselves in this manner. Can they do this and be in a state of peace with those communities?

The abolitionists say they use only moral and rational means, merely arguments addressed to the reason and the conscience. Is it so? To what kind of a reason or a conscience is denunciation addressed? Is it so? What mean then these fifteen hundred affiliated societies, spread over the non-slave-holding states, pledged to the immediate emancipation of the slaves? Are these societies' arguments addressed to the individual reason and conscience of the slave-holder? What is the *rationale* of this argument?

What is its legitimacy? Many hundreds of thousands of men, women, and children, all solemnly pledged to effect the immediate emancipation of the slaves, are banded together in some fifteen hundred societies; therefore slavery is a sin; therefore no slave-holder is a Christian; and therefore every slave-holder must immediately emancipate his slaves! We confess this is a species of logic that passes our comprehension. That these societies, by banding together the majority of our population, may so concentrate public opinion, and bring it to bear with such force on the institution of slavery, that the slave-holder shall feel himself unable to withstand it, and therefore compelled to free his slaves, is what we can understand very well; but this is neither a rational nor a moral argument for the abolition of slavery. A man finds a loaded pistol presented at his breast, and to save his life gives up his purse; and the slave-holder finds the community pointing the finger of scorn at him, and to save his reputation, which he holds dearer than life, emancipates his slaves; which is the more moral and rational argument of the two? An army, organized and marching upon the South to free the slaves at the point of the bayonet, would, in principle, be an argument to the individual reason and conscience of the slave-holder, equally as forcible, appropriate, and convincing, as an associated multitude pointing the finger of scorn, or shouting denunciation, and threatening the vengeance of Heaven.

Nor is it true that our abolitionists contemplate no action on the subject, but the action of truth and moral suasion. They do contemplate political action. They let pass no possible opportunity of bringing the subject of slavery before the state legislatures; and they are constantly at work to get it discussed on the floor of congress. What, we ask, is all this agitation for? Why is abolitionism organizing a political party in the states and the nation? Why does it want abolition members in our state legislatures? Why does it interrogate candidates for office as to their views of slavery? Is there no political action intended? Give it a majority in congress, and will it not legislate on the subject? It will at once abolish slavery in the District of Columbia, and in the territories. Will it stop there? Who so simple as to believe it? It will usurp, or alter the United States constitution so as not to need to usurp, the power to abolish it in the states. What are paper constitutions in the way of a body of men, women, and children, inflamed,

drunken with a great idea, and so much the more drunken because the idea with which they are filled is a holy one,—what are paper constitutions in their way, when they have in their hands the actual power to advance? He knows nothing of the power of an enthusiastic multitude, who thinks such feeble barriers would arrest their progress. Their leaders might rush before them, the wise and prudent might beg them to pause; but leaders, and the wise and prudent are as chaff before the wind, and on will the multitude press, sweeping them away, or trampling them under their feet, to the realization of the idea which inspires them. Here is the danger. Let the abolitionists get the majority banded together in or under the control of their affiliated societies, pledged to the immediate emancipation of the slaves, and they will throw into congress the power to do it; that is, power to regulate the internal institutions of the states; gone then is the independency of the states; and then goes individual freedom; and then all power is in the central government; Greece or Rome is reproduced: the absolutism of the state is established, which merely preludes the absolutism of the emperor. God grant, that in the honest and earnest defense of liberty we dig not her grave!

We speak on this subject strongly, but we have no fears of being misunderstood. There is not a man or woman living that can accuse us of defending slavery. This whole number of our *Review* is devoted to the defence of the rights of man, not to the rights of one man, of a few men, but of every man. We can legitimate our own right to freedom, only by arguments which prove also the negro's right to be free. We have all our life long sympathized with the poor and the oppressed, and we yield to no abolitionist in the amount of the sacrifices we have made, wisely or unwisely, needlessly or not, in the cause of human freedom. It is not to-day, nor this year, that we have pledged ourselves, for life or for death, to the holy cause of universal liberty. But every thing, we say, in its time. First, we must settle the bases of individual freedom, settle the principle that man measures man the world over, and establish our government upon it, and secure the action of the government in accordance with it, and then we may proceed to make all details harmonize with it.

To explain ourselves; the work to be done in this country to-day is to place the government in the hands of the peo-

ple, not only in principle, but in fact. Hitherto, the government, in point of fact, has been in the hands of the business men, who have shaped legislation to their especial interests. We are struggling now to get it out of their hands,—not to the disadvantage of the business men,—but to hinder them from having an exclusive control over it. The business men form a part of the people, a large part, and a respectable part, and we must not wish to turn the government in any respect against them; but we must seek so to arrange matters, that they shall share only an equal protection with all the other sections of the community. The object is to effect such changes, that there shall henceforth, in all governmental relations and actions, be no classes, but simply the people. This done, we shall have established the principle of universal liberty, and opened the door for every man to enter into the possession of entire freedom, under the dominion of equal laws. We shall then have all the individual freedom of the savage state with all the order and social harmony of the highest degree of civilization. This is the end to be gained, as we have attempted to show in the articles which precede this.

Now, our danger is not from an excess of individuality, but from centralization. The danger to be apprehended is from the strength, not the weakness of the government. Nearly the whole North has a strong tendency to merge the individual in the state. The North is enterprising, fond of undertaking great things, which are to be accomplished only by concentrating the power of masses, to be wielded by a few directing minds. This tendency is good, and springs from noble qualities; nevertheless it may, in its eagerness to reach its end, so centralize power that the individual from an integer may become a mere fraction of the body politic. It therefore needs a check, a counterbalancing power, at least until the bases of legislation and social action become so fixed that there shall henceforth be no danger that the state will swallow up the individual.

This check is found in the strong individuality of the South, arising from the individual importance which each man there possesses, in consequence of being himself a sort of petty sovereign. The southern planter keeps alive here the very element of individual freedom, represented by the feudal baron in Europe. The South, therefore, becomes the defender of individual freedom, as the North is the great advocate of social freedom. One represents the indi-

vidual element, as the other does the social element of human nature. Hence the North demands a strong government, and the South a strong people. The North have been Federalists, the South Democrats; now, if we weaken the southern individuality before the northern centralization be fixed by laws, which leave the individual in possession of all his natural rights, we destroy the equilibrium between the individual and the state, and endanger the freedom of both. This is one reason why we regret the present agitation of the slave question, and why we see danger, not to the Union merely, but to liberty herself in the abolition movements.

This strong individuality of the South is the effect of the institution of slavery. The South, without slaves, would have had the same tendency to centralization that we have at the North. The cause of it here is the fact that no individual here feels himself of much importance by the side of the state. Individually he can do but little, and feels himself small. Hence his strong desire to lean on the state, his uncommon fondness for associations, corporations, partnerships, whatever concentrates power and adds to individual strength. Then again our commercial and manufacturing pursuits also tend to make us desire somewhere the social power we can call in to supply our individual deficiency in strength, capital, or skill. The southern planter is a sort of prince. Living in the centre of his plantation, of his own principality, absolute lord and proprietor of a number of human beings, he feels that he, individually, is a man; that his rights, as a man, are of too much consequence to be swallowed up in the rights of the state. It is true, he ought to reflect that his negroes have the same rights by nature as himself, and so he will one day; but first he must secure his own rights. After he has secured his own rights as a man, and finds them no longer in danger from the northern tendency to centralization, he will perceive that he has, in defending them, been defending those of his negroes; and then he will take up in earnest the matter of freeing them. To free them before were of no use, because before he has secured his own rights, there can be no security for theirs.

Here is the aid which slavery itself, through the providence of God, is made to contribute to liberty. Good always comes out of evil; and southern statesmen are nearer the truth than we commonly think them, when they say,

that "southern slavery is the support of northern liberty." We confess that as things were, we see no way in which freedom could have been established in this country, without the strong sense of individual freedom which slavery tends to produce in the planter. When the world has become christianized, we shall support individual freedom on the maxim, that "you are as good as I;" but in an earlier stage of social and individual progress, we must do it by means of this other maxim, "I am as good as you." Now, this feeling of personal importance, of egotism, if you please, was in no way that we can see to be introduced, but by slavery, and without this, our republic would not have had the checks and balances needed. The time will come when this will not be needed, and then slavery will cease. Before, it will not.

Another means of saving individual freedom, is in the sovereignty of the individual states. Destroy the states as sovereignties, and make them only provinces of one consolidated state, and centralization swallows up every thing. The individual finds the government so far from him, and his own share in it comparatively so insignificant, that he soon comes to feel himself, individually, of little or no importance, and when he so feels he ceases from all manly defence of his rights, and loses himself in the mass. Now the South, in consequence of having peculiar state institutions to defend, has been the foremost in defence of state rights, the sovereignty of the states in its plenitude, so far at least as all their internal affairs are concerned. It is because they have had slaves, not to be retained without the supreme control of all state institutions, that they have been so earnest in defence of state sovereignty. There is some analogy between the relation a state holds to the Union, and that held by the individual to the state. The arguments which defend the rights of the individual defend those of the state, and those which defend the rights of the state defend those of the individual. The South may have sometimes carried her doctrine of state rights too far, but her repeated assertion of it has done not a little to save American liberty.

Now, until we have settled the controversy about state rights and individual rights, it is as unwise as it is useless to touch the question of slavery. As yet there is no security given, or capable of being given, that the slave will be a free man even if declared free by the laws. Let this

security be obtained before you attempt to emancipate him. He is now, paradoxical as it may seem, aiding in laying the foundation of universal liberty to universal man, and when the superstructure is reared, and the multitude throng its courts, he shall appear in the temple a free and equal worshipper.

Hard undoubtedly is it, that liberty should be purchased at the slave's expense, and we confess we have no fondness for the idea; but less injustice is done the slave than we commonly imagine. The negro on a southern plantation is unquestionably a superior being to the negro in his native Africa. By being enslaved, he has been elevated, not degraded. Degraded he no doubt is in comparison with his master, but his captivity shall redeem his race. The years of his bondage shall not be so long, his labors, sufferings, and sacrifices in becoming a civilized man shall be far less than ours have been. So far as we may judge from the past, it is the settled order of God's providence, that man shall be saved only by crucified redeemers. Man is never to receive freedom and civilization as a boon; he can obtain them only by toil and struggle and blood. Why it should be so, is one of the mysteries of providence, for which we might perhaps assign some good reasons, but which we do not undertake to solve. The world is full of mysteries, and this is no more dark and perplexing than a thousand others. Time will clear it up.

ABOLITION PROCEEDINGS.*

[From the Boston Quarterly Review for October, 1838.]

Mr. Treadwell has attempted in this book to settle definitively the whole question, as to the right of abolitionists to labor for the emancipation of the slaves. He takes up and professes to answer some forty popular objections to the proceedings of the abolitionists. He has done the thing admirably, no doubt, and to the entire satisfaction of

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American Liberties and American Slavery, morally and politically illustrated. By S. B. Treadwell. New York: 1838.

his friends. But we are sorry to find that he has mistaken entirely the real question at issue, and paid not the least attention to what we regard as the really weighty objections which may be used against abolition proceedings.

Mr. Treadwell proceeds through his whole book, at least so far as we have read it, on the ground that the real question at issue is, Have the northern abolitionists a right to *discuss* the abstract question of slavery? Now this is a great mistake, and this way of putting the question is absolutely unpardonable. We have a right, as men and as citizens of an independent state to discuss any question and all questions which concern any portion of the human race, and to discuss them freely and unreservedly. There is no limitation to this right, except as to the manner of exercising it. In discussing any question whatever, we are bound to show that respect for the opinions and characters of others, we exact from others for our own. Nobody objects to the mere discussion of slavery; and anybody may advocate, in the freest and ablest manner he can, the inalienable right of every man, whether black or white, to be a freeman.

We insist on this point. The abolitionists make no small outcry about the right of free discussion; they represent themselves as the champions of free discussion and they take unwearied pains to make it believed that the whole cause of free discussion is involved in the abolition question. Nothing is or can be more disingenuous than this. Abolitionists are in no sense whatever, either in principle or practice, the champions of free discussion. Their conceptions of free discussion, so far as we can gather them from their publications, are exceedingly narrow and crude. In their estimation free discussion is to denounce slavery and slave-holders; and opposition to free discussion, is the free expression of one's honest convictions against abolition proceedings. A man who supports them defends the rights of the mind; he who opposes them attacks the rights of the mind. Now this sort of free discussion is altogether too one-sided to suit our taste. It is very much like our pilgrim fathers' respect for the freedom of conscience. Our pilgrim fathers loved freedom of conscience so much, that they took it into their own especial keeping, and spurned the idea of sharing its custody with others.

Moreover, the abolitionists do not, properly speaking, discuss the subject of slavery. Nay, it is not their object to discuss it. Their object is not to enlighten the community on

the subject, but to agitate it. Discussion is a calm exercise of the reasoning powers, not the ebullition of passion, nor the ravings of a maddened zeal. To discuss an important question we need not the aid of women and children, but of wise and sober men, men of strong intellects and well informed minds. Discussion is also best carried on in one's closet, at least where one can keep cool; not in a crowd, where people of all ages and both sexes are brought together, and by the strong appeals of impassioned orators thrown into a state of excitement bordering upon insanity. When men have made up their minds, when the epoch for deliberation has gone by, and that for action has come; when their object is less to convince than it is to rouse, to quicken, to inflame; then proceedings like those of the abolitionists are very appropriate, and it is only then that they are ever adopted. It is perfect folly therefore for the abolitionists to talk about discussion. Any man, with his eyes half open, may see clearly that all this is mere pretence. Action, not discussion, is what they demand. Deeds, not words, are what they contemplate. To agitate the whole community, to inflame all hearts, to collect the whole population into one vast body, and to roll it down on the South to force the planters to emancipate their slaves, this is what they are striving to do. It is the *abolition* of slavery, not its *discussion*, they band together for, and it is idle for them to pretend to the contrary.

If any proof of this were wanted, it might be found in their treatment of every man who adopts conclusions different from their own. Do they reason with him? Not they. They denounce him. They rush upon him with the fury of cannibals, and, as far as it depends on them, destroy his character, and make it impossible for him to hold up his head in the community. Do they answer the arguments urged against them? They? Mr. Garrison stated in a public meeting in this city, that the arguments adduced against the abolitionists had never been answered, and he did not wish to have them answered. Discussion do you call this? Discussion! They know better than to discuss the matter. We are right, say they. God and man are with us. We have a holy cause. Woe, woe, to whosoever opposes us! Mark him, friends of freedom; mark him, friends of the slave; he is a robber, a man-stealer, a murderer, and it requires "a pencil steeped in the midnight blackness of hell" to paint in appropriate colors the foulness of his heart.

This is discussion, is it? The rights of free discussion are invaded, are they, because opposition to this method of treating our brethren is sometimes shown?

Abolitionists are merely discussing the question of slavery, are they? What mean then their thousands of petitions to congress, with their seven hundred thousand signers, a large portion of whom are women and children? What kind of arguments are these? What new light do they throw on the question of slavery? What understanding do they convince? What conscience do they persuade? They are merely discussing the question of slavery, are they? What mean then these political movements they are preparing, these interrogations they are addressing to the candidates for office? Take the following from their official publications:

"The candidates presented for your choice, will, of course, be nominated either by the whigs or democrats. The most prominent individual of the whig party, and probably their next candidate for the presidency, is a slave-holder, president of that stupendous imposture, the Colonization Society, author of the fatal Missouri 'Compromise,' and of the slavish resolutions against the abolitionists, lately passed by the senate of the United States. On the other hand, the leader of the democratic party, 'the northern president with southern principles,' has deeply insulted this nation, by avowing his determination to veto any bill for the abolition of slavery in the District of Columbia, which may be passed by a majority of the people, in opposition to the wishes of the slave states.

"No consistent abolitionist can vote for either of these individuals. It does not however follow that he cannot vote for candidates for state offices, or for congress, who may be their friends and supporters. If the candidate before you be honest, capable, and true to your principles, we think you may fairly vote for him, without considering too curiously, whether his success might not have an indirect bearing on the interests of Mr. Clay or Mr. Van Buren. It is a golden maxim, 'Do the duty that lies nearest thee.' Vote for each man by himself, and on his own merits. If you attempt to make your rule more complicated, so as to include distant contingencies and consequences, it will be found perplexing and impracticable.

"The independent course in politics, which we have recommended, supposes great prudence, disinterestedness, energy of purpose, and self-control, in those who are to adopt it. May you justify our confidence in you. Do your duty. Come out, in your strength, to the polls. Refuse to support any public man who turns, or equivocates, or conceals his opinions. Beware of half-way abolitionists, and of men who are abolitionists but once a year. Prove that you do not require the machinery of party discipline, to vote strictly according to your professed prin-

ciples. Do this, and you will rapidly acquire a deserved influence. 'Such a party,' as Mr. Webster justly said, in speaking of the abolitionists, 'will assuredly cause itself to be respected.' *Within the next two years, the friends of freedom might hold the balance of power in every free state in the Union; and no man could ascend the presidential seat against their will.*"

So say the board of managers of the Massachusetts Anti-Slavery Society in their address to abolitionists, an address, by the way, the least exceptionable and the best written of any abolition document we have seen. But does this look like *discussing* the subject of slavery? Take also the following from the *Human Rights*, published by the American Anti-Slavery Society:

"*There is but one remedy.* Men must be sent to congress, made of sterner stuff—men who, like Senator Morris, of Ohio, are not ashamed to advocate the *rights* of their constituents. Doughfaces have had their day. Let us keep them at home,—their proper vocation is to head our northern pro-slavery squadrons, armed with brick-bats and stale eggs. State offices too, and county and town offices must be filled with men who will at least show as much zeal for the great objects which the 'Union' was intended to secure, as for the 'Union' itself,—men who will not esteem it their duty to choke discussion and encourage mobs to please the slave-holders. We need not debate this point. Every man's conscience will show him his duty.

"What we beg is, that duty may be done *in season*. Don't wait till candidates are before the people and the elections are at the door, and the lines of party are drawn, and its wire-work all fixed. Let your voice be heard at once. Let your determination be known, not to support any man who will not unequivocally pledge himself to *free discussion, free petition, and abolition where congress has the power*. Let the political parties have this to reflect on before they select their candidates. No candidate ought to expect the vote of an abolitionist, who is not prepared to answer the following questions in the affirmative:

"'1. Are you in favor of abolishing slavery in the District of Columbia —for the honor and welfare of the nation?

"'2. Are you in favor of so regulating commerce among the several states that human beings shall not be made subjects of such trade?

"'3. Are you opposed to the annexation of Texas to this Union, under any circumstances, so long as slaves are held therein?

"'4. Are you in favor of acknowledging the independence of Hayti, and of establishing commercial relations with that nation on the same terms with the most favored nations?'

"But they *will* expect votes unless abolitionists bestir themselves in time. Crafty politicians always calculate on humanity's *dying away*. By our 'fathers' ashes' let them be disappointed henceforth and for

ever. Let the abolitionists meet in their societies, resolve on energetic and up to the-mark action, and *publish* their resolution in the *county* as well as the abolition papers. Such demonstrations, in good time, will not be without their effect. Above all things, let the action when begun, like the good cause itself, '*die away bigger and bigger.*'"

The abolitionists are merely *discussing* the subject of slavery, are they? What have the respective merits of candidates for office, state or federal, to do with the merits of slavery? What has the recognition of the independence of Hayti to do with the merits of slavery? If abolitionists are merely discussing slavery, we ask, what they have to do, *as abolitionists*, with questions like those here introduced? But we need dwell no longer upon this point. Abolitionists may say and believe what they will, but it is perfectly idle for them to dream of convincing any intelligent observer, that they are merely discussing the question of slavery. As we have said, their object is to abolish it, not to discuss it, and their means for abolishing it are not calm and rational discussion, but agitation, the agitation of the community, inflaming its passions, and directing, by means of the ballot-box, the force they thus collect, to bear directly on southern institutions.

We say again, then, that Mr. Treadwell has not stated the real question at issue, and his book is therefore worthless. The real question at issue is, Have the citizens of the non-slave-holding states the right to set on foot a series of measures—no matter what measures—intentionally and avowedly for the purpose of emancipating the slaves? This is the question. Have we the right to commence a series of operations for the accomplishment of an object, and to prosecute them with strict and sole reference to the accomplishment of an object, over which we have no rightful jurisdiction?

Why is it that the abolitionists shrink from this question? Why is it that,—so far as our knowledge extends,—they have never in a single instance met this question, or even alluded to it? Shall we say, because they are conscious that they cannot meet it, without being forced to acknowledge that they are wrong in their proceedings, and ought forthwith to disband their associations?

Doubtless somebody must have the jurisdiction of the slave question. Who is it? Who has the legal right to abolish slavery? The states in which it exists, and the sole right to do it, says the constitution of the American Anti-Slavery Society. If this be so, it is certain that the abolition-

ists, as citizens of non-slave-holding states, have not the right to abolish slavery. In laboring to abolish it, then, they are laboring to do that which they have no legal right to do, even according to their own official confession. They, then, so far as they labor to abolish it, are acting against law, are transgressors of the law, and obnoxious to its penalties. There is no gainsaying this.

This being so, on what ground will the abolitionists justify their proceedings? Will they take their stand above law, appeal from law to their individual conceptions of right, to the paramount law of humanity—of God? We presume so. We believe this is their appeal, this the ground on which they attempt to legitimate their proceedings. Be it so. In taking this ground they set the law at defiance, and are either a mob or a band of insurrectionists. In taking this ground they justify all the lawless violence against which they have so vehemently declaimed. If one class of the community may set the laws at defiance, why may not another? If the abolitionists may set at nought the international law, which gives the slave-holding states the exclusive jurisdiction of the slave question, why may not other citizens say they have a right by mob-law to prevent them, if they can, from doing it? It were not difficult to convict the abolitionists of preaching the very doctrines the mobocrats attempt to reduce to practice. They ought not, therefore, to think it strange, that they have been in but too many instances the victims of lawless violence. When a portion of the community take it into their heads that they are wiser than the law, and commence the performance of acts in contravention of law, they ought to be aware that they open the door to every species of lawless violence, unchain the tiger, and must be answerable for the consequences.

Nevertheless we cheerfully admit, that, in saying the abolitionists appeal from the law as it is to what they consider it ought to be, to the paramount law of humanity, we do not necessarily condemn them, nor even cast a shadow of a reproach upon them. There may be cases in which men shall be justified in doing this; nay, when it shall be their duty to do this. But this cannot be done without rebellion. They who do it declare the bonds of society broken, and society itself reduced to its original elements. It cannot be done in accordance with any existing social order; it therefore can be justified only in such cases as do justify rebellion, revolution. Revolutions are sometimes justifiable, and

we as a nation hold to the sacred right of insurrection. If the abolitionists take the ground we suppose they do, they are in fact insurrectionists, they are revolutionists. This is their character. Now in order to justify themselves they must make out a clear case, that the present circumstances of our republic are such as to warrant a revolution.

No doubt justice, the paramount law of humanity, demands the abolition of slavery. But of whom does it demand it? and on what conditions does it demand it? Does humanity command us to abolish it in contravention of law? Is humanity, all things considered, more interested in declaring the negroes free, than in maintaining those laws which the abolitionists violate in laboring to bring about the declaration? We say *declaring* the slaves free, and we do so designedly; for this is as far as the efforts of the abolitionists, if successful, can go. They cannot make the slaves free. The slave is never converted into a freeman by a stroke of the pen. Freedom cannot be conferred; it must be conquered. The slave must grow into freedom, and be able to maintain his freedom, or he is a slave still, whatever he may be called. If, then, the abolitionists cannot make out clearly and beyond the possibility of cavil, that humanity is more interested in declaring the slaves free than she is in maintaining the laws the citizens of non-slave-holding states must violate, before they can cause them to be declared free, they cannot make out a case that justifies revolution, or a case that justifies their proceedings, even admitting their own premises.

Slavery ought to be abolished, says the abolitionist, and what ought to be done it is right to do. It is right then to abolish slavery. This is enough for me. Ask me not to stop and consider what may be found in statute laws and paper constitutions. The tyrant's foot is on the neck of my brother; don't tell me to stop and ask whether, all things considered, it be my duty to run to his rescue. It may not be expedient to do it. But what of that? Let me alone. I will hurl the tyrant to the dust, and deliver my brother. We understand this feeling very well, and by dwelling on it could work ourselves up, as we often have done, into a glorious passion and become quite heroic. Still we believe harm seldom comes from stopping to consider.

We eschew expediency as a rule of action as heartily as do our friends the abolitionists. We are not among those who sneer at abstract right, and say we are not to regard it

in practical life. Abstract right, as we view it, is absolute right, which is simply right, neither more nor less. Now we hold that every one is bound to consult the right and the right only, and having found it, to do it, let who or what will oppose. But we believe it is, before acting, very proper to determine what is right, not only in a general case, but in the particular case in which it is proposed to act. In determining what is right in any given case, it is necessary to take into consideration all the circumstances and bearings of that case. Right, it is true, never varies, but the action varies according to the circumstances under which it is performed. An action with certain general characteristics, performed under certain circumstances, shall be right, but performed under other circumstances, shall be wrong; because in the latter case it is in fact a different action from what it is in the former. A given action, viewed in one of its relations may be right, yet viewed in all its relations it shall be improper to be done. It is therefore always necessary, in order to determine whether a particular action should be done or not, to survey it in all its relations, and to determine as far as we can all its bearings. The consequences of the action are by no means to be overlooked. True, the consequences of an action do not *constitute* its moral character, but they are necessary to be consulted in order to determine its moral character. The idea of right is unquestionably intuitive, of transcendental origin; but its proper application to practical life is a matter of experience, to be determined by the understanding.

Admit then that slavery is wrong, that it is right to abolish it, it does by no means follow that the citizens of non-slave-holding states have the right to abolish it; nor that the abolition proceedings are commanded by that law of right, to which the abolitionists so confidently appeal. A fellow-citizen has wronged us. It is right that we should have redress; but it is right that we should seek redress only in conformity to the law of the land. We shall be held justifiable in morals, no more than in law, if we undertake to obtain redress ourselves, without reference to the legal method of obtaining it. The abolitionist must do more than prove that slavery is wrong, that it ought to be abolished, and that it is right to abolish it; he must prove first, that *he* has a right to abolish it, and secondly, that he has a right to abolish it in the way he proposes to do,—two things we hope he will undertake to prove, but which we fear he will be able to prove not without difficulty.

We go as strongly for liberty as the abolitionist. We protest with the whole energy of our moral being against the right of any man to hold his brother man in slavery. To the slave-holder, boasting the beauties of the slave system, its happy effects, and the sweet ties it creates between the master and slave, we have no answer, but "Do unto others as you would they should do unto you." When we find the master willing to become, and desirous of becoming a slave, then, and not till then, will we listen to his defence of slavery. Man is born with the right to be free. Liberty is his inalienable right, and there is nothing in heaven or on earth to justify one man in depriving another of his rights. We can see, we think we do see, how God overrules slavery for good, and makes it serve to restrain or destroy other evils which might perhaps lead to consequences still worse than those of negro slavery itself; but this is in our judgment of the matter no excuse, no palliation of the guilt of those by whose agency slavery was introduced and is perpetuated. On this point we have no controversy with the abolitionist. We sympathize with slavery no more than he does; and we are as far as he would be from appearing as the defender or the apologist of the slave-holder. Slavery is wholly indefensible; it ought to be abolished; it must be abolished; it will be abolished. But does it belong to us, who are citizens of non-slave-holding states, to abolish it? This is the question we want answered.

To emancipate the slaves, viewed in itself, might be a praiseworthy deed. It were, if it could be done, a good work. But it is not therefore necessarily true that it is a work for us to perform. It is not only necessary to prove the work a good one, but that it is *our* work, before we have proved that we have a right to undertake it. Every man has, in the general allotment of Providence, his special work, every community its special mission; and it is each man's duty to ascertain and perform his own work, each community's duty to ascertain and fulfil its own mission. Evil always results from the attempt of any one man to be that for which God and nature have not designed him, and consequently evil must always proceed from the attempt of any one to perform the task assigned another.

The emancipation of the slaves, we say, is not our work. Slavery may be a sin,—but it is not ours; and there is no occasion for us to assume the responsibility of other people's sins. We have sins enough of our own, and more than we

can answer for; we have more work to perform for freedom here, within the limits of our own territory, than we can perform in many centuries, even should we direct to its performance our exclusive attention and all our energies. Slavery, it may be, is a stain, a disgrace upon the community that tolerates it; but if so, it is not a stain, nor a disgrace upon non-slave-holding communities. We are not disgraced because Constantinople is a slave-holding city, nor are we because Charleston is a slave-holding city. The states that hold slaves are alone responsible for the institution. If, as they pretend, it is a good and praiseworthy institution, theirs be the glory of maintaining it; if it be, as the abolitionists regard it, a wicked, a disgraceful institution, theirs be the sin and disgrace of perpetuating it. They are of age, and are responsible for their own deeds.

The abolitionist considers that it is our duty to labor for the emancipation of the slaves, because our nation is a slave-holding nation, and is therefore disgraced in the eyes of foreigners. To foreigners, who reproach us with slavery, all we have to say is, when you have done as much to elevate labor and the laboring classes as we have, we will hear you; till then, hold your peace. To abolitionists we deny the fact *in toto*, that we are a slave-holding nation. We are made one nation by the constitution of the United States, and are one nation no further than that declares us to be so. Now, in the sense in which these United States are one people, we do not hold slaves. Slavery is not recognized by the constitution; that is, it in no sense whatever exists by virtue of the constitution. It is not established by the laws of the Union, nor is it protected by those laws. In our capacity of one people, in the sense in which we are one nation, we have no cognizance of the subject of slavery. We deny, therefore, that our republic is a slave-holding republic. We deny that it tolerates slavery, and request the abolitionists not to be too ready to assume a reproach to which they are not obnoxious.

But some of the members of the confederacy hold slaves? Granted. So does Turkey, so does Brazil, so do a great many nations. But the members of the confederacy that hold slaves, do it not by virtue of constitutional grants, not by virtue of powers conferred on them by their sister states, but by virtue of their state sovereignty, which they did not surrender into the hands of the Union, and which they still retain in all its plenitude, at least, so far as this question is

concerned. They stand, then, in regard to this question, as we have shown on a former occasion, precisely as independent nations, and we of course are no more responsible for their deeds, or affected in our national character by their misdeeds, than by those of any independent or foreign community whatever. Let us talk then no more about a slave-holding republic. We are not a slave-holding republic.

We must again point out to our abolitionists that the federal republic is limited to a very few specific purposes. The states, for their mutual convenience, for the general welfare and common defence of the whole, formed themselves into a federal league or union. In the constitution is specified the extent to which the states, as free, independent, sovereign nations, consented to merge their state character and sovereignty into one nation. To the extent there specified, we regard the people of the several states as one people, and no further. To the extent there specified, and for the purposes there specified, a citizen of Massachusetts is also a citizen of the United States, and has the same right to concern himself, according to the mode there pointed out, with the affairs of South Carolina that he has with the affairs of Massachusetts. But beyond this extent he has no more right to concern himself with the affairs of any state but the one of which he is specially a citizen, than he has with the affairs of France or China. Our duty, as citizens of the United States, is to observe in good faith the stipulations into which we have entered with our sister states; and so long as the slave-holding states perform towards us all the engagements they have made to us, we have, as citizens of the United States, no fault to find with them.

Now, have the slave-holding states entered into an engagement to emancipate their slaves? Is it in the bond? When they came into the Union, did they stipulate to abolish slavery? Not at all. They retained that matter in their own hands. What right have we then to insist upon their doing it now? In what capacity do we call upon the southerner to free his slaves? In our capacity as citizens of the United States? But in that capacity we have no right to meddle with the matter, because slavery is not one of the matters which come under the jurisdiction of the United States. The people of the United States have no legal cognizance of it. In our capacity as citizens of Massachusetts, then? But as citizens of Massachusetts we hold no

other relation with the slave-holder in South Carolina, than we do with the slave-holder in Turkey. In what capacity then? In our capacity as men and as Christians?

We are far from asserting that, as men and Christians, we have no concern with the slave question. As a man, as a Christian, I have a right to concern myself with whatever affects my brother man, wherever he is. But has this concern no limitation? Limitation or not, it is no greater in the case of southern slavery, than in the case of slavery anywhere else. Our right and our duty to labor for the emancipation of southern slaves rest on our general right and duty to labor for the abolition of slavery wherever it exists. Now, before the abolitionists can make out that it is my right and my duty to make any special efforts to effect the emancipation of the slaves in the southern states, he must show that it is my right and my duty to make special efforts for the abolition of slavery everywhere. Nay, more than this, he must prove that it is my right and my duty to make special efforts for the correction of all abuses of all countries, to abolish every bad or wrong institution of every nation, to remove all national sins of all nations. Can he do this? He can do it only by doing another thing which is yet more difficult. He must prove that every man has the right and the duty to concern himself with the whole conduct, the entire life, of every other man, and that every man has the right and the duty to see that every other man forsakes his sins and does his duty.

It is the duty of Massachusetts to educate all her children; but is it the duty of South Carolina to undertake to compel her to do it? It is the duty of the citizens of this state to abolish the barbarous law that treats poverty as a crime; but is it the duty of the citizens of Georgia to compel us to do it, or to do it for us? The autocrat of the Russias ought to restore Poland to her national independence: but is it our duty to do it for him, or to undertake to force him to do it? England ought to abolish the laws of primogeniture and entail,—monarchy and the hereditary peerage; but is it our duty to make special efforts to induce her to do it? Is that abolition her work, or is it ours? Universal freedom should be established throughout the earth; is it, therefore, our duty to become propagandists, and band our whole community together into associations for carrying on a war with all nations who have not adopted a republican form of government?

Freedom requires us to recognize in each individual certain rights, and rights which we may no more invade to do the individual good than to do him harm. He must have a certain degree of liberty. That liberty he may abuse; but so long as he does not attack our liberty, we cannot, without sapping all liberty in its very foundation, interfere with him. So of communities; they stand in relation to one another as individuals. So long as any given community respects the rights of all other communities, no other community has any right to interfere with its conduct. Its external relations are just, and its internal affairs, so far as other communities are concerned, it has a right to regulate in its own way. To deny this, is to deny its independence, is to strike at its liberty; to attempt to interfere with its internal policy, is to declare war upon it, and must, if it be a spirited community, and able to fight for its independence, lead to bloodshed and incalculable sufferings. Peace among the nations of the earth is to be maintained only by each nation's attending to its own concerns, leaving all other nations to regulate their internal policy in their own way. This principle is even more imperative in the case of the states which compose this republic, than in that of nations generally. Our relations are so multiplied, are so intimate, and our intercourse is so frequent and various, that without the most punctilious respect for the reserved rights of each, perpetual embroilment must result, and our union, instead of harmony, be a source of perpetual discord. We say, therefore, inasmuch as slavery is an institution over which the slave-holding states have exclusive jurisdiction, inasmuch as we, as citizens of the United States and of non-slave-holding states, have no concern with it, we are not called upon, whatever be our own opinion of it as an institution, to labor specially for its abolition. We are not called upon to abolish it.

But even admitting we were called upon to abolish it, or to labor for the abolition of slavery wherever it exists, we should still deny that the abolition proceedings are justifiable. They are contrary to the genius of our institutions; they make war upon the relations, which it was intended by our federal system should subsist between the states which compose the Union, and are, therefore, as we have said, revolutionary in their character and tendency.

We do not say that to abolish slavery is contrary to the genius of our institutions. The genius of our institutions

is liberty, and unquestionably is repugnant to every species of slavery. If the institutions subsist, they must in their gradual unfolding sweep away slavery, and every vestige of man's tyranny over man. But according to our federal system, all the internal affairs of the several states are to be managed by the states themselves. When, therefore, the citizens of one state disregard this system, and labor to control the internal affairs of another state, in the manner we have shown the abolitionists do, they are acting in opposition to the American system of government. The citizens of slave-holding states might, if they chose, adopt all the measures our abolitionists do, without being liable to this charge, and perhaps they ought, in justice, to labor, even more zealously than do the abolitionists for the abolition of slavery. The error of the abolitionists consists in concluding from the duty of the slave-holding states to their own,—of concluding from the fact that it is right for South Carolina, for instance, to labor to emancipate the slaves, it is therefore right for citizens of Massachusetts to do the same. The wrong is not in the end sought, but in the persons who seek it, and the means by which they seek it.

The abolitionists are wrong as to their point of departure. They begin, consciously or unconsciously, by assuming that the people of the United States are one people, not in the restricted sense in which they are so declared by the constitution, but in all senses, to the fullest extent, as much so as the people of France or England. They regard themselves not as citizens of Massachusetts, or of New York, but as citizens of the United States. The division of the territory into separate states, they regard as merely for administrative purposes, or for the convenience of transacting governmental business. They see not and understand not that the division into separate states, is a division, in point of fact and in theory especially, into distinct communities, separate nations, afterwards to be united by a league or compact; not a division at all analogous to the division of a state for municipal purposes into counties, townships, and parishes. In giving the legal form to any public measure, they indeed recognize the boundaries of the states in like manner as they do the boundaries of a county, a township, or a parish; but in all else, in preparing the measure, in urging its adoption, in the combination and direction of the influences, which shall lead to or compel its adoption, they know no geographical boundaries, no civil or political divisions. Here is the

source of their error. They begin by denying the sovereignty of the states, and consequently the federal government created by the constitution, and by asserting the system of consolidation, another and altogether different system,—a system by which we become one vast centralized republic, adopting the division into states only as a convenient regulation for facilitating the administration of the affairs of the government.

We say not that the abolitionists are in general aware of this, or that they would knowingly and intentionally do all this. They are probably aware of nothing but a morbid craving after excitement, and the determination, cost what it may, to abolish slavery. But we do say that the doctrine of consolidation, which we have stated, is that which lies at the bottom of their proceedings, and which has influenced them, and led them to adopt the proceedings they have. Had they been in the habit of contemplating the American political system in its true character, had they been in the habit of seeing in the division into states something more than a municipal regulation, than an affair of internal police, had they been accustomed to see in each state a distinct, independent, and sovereign community, in all matters except a very few specified in the constitution of the United States, they had never taken those peculiar views of their own relations with the slave-holding communities, which have led them to adopt the measures of which we complain. Anti-slavery men they might have been, but abolitionists they could not have been.

We would acquit the abolitionists also of all wish to change fundamentally the character of our institutions. They are not, at least the honest part of them, politicians; but very simple-minded men and women who crave excitement, and seek it in abolition meetings, and in getting up abolition societies and petitions, instead of seeking it in ball-rooms, theatres, or places of fashionable amusement, or dissipation. Politics, properly speaking, they abominate, because politics would require them to think, and they wish only to feel. Doubtless some of them are moved by generous sympathies, and a real regard for the well-being of the negro; but the principal moving cause of their proceedings, after the craving for excitement, and perhaps notoriety, is the feeling that slavery is a national disgrace. Now this feeling, as we have shown, proceeds from a misconception of the real character of our institutions. This feeling

can be justified only on the supposition that we are a consolidated republic. Its existence is therefore a proof that, whatever be the conscious motives in the main of the abolitionists, their proceedings strike against our federal system.

Well, what if they do? replies the abolitionist. If federalism, or the doctrine of state sovereignty, which you say is the American system of politics, prohibits us from laboring to free the slave, then down with it. Any system of government, any political relations, which prevent me from laboring to break the yoke of the oppressor and to set the captive free, is a wicked system and ought to be destroyed. God disowns it, Christ disowns it, and man ought to disown it. If consolidation, if centralization be the order that enables us to free the slave, then give us consolidation, give us centralization. It is the true doctrine. It enables one to plead for the slave. The slave is crushed under his master's foot; the slave is dying; I see nothing but the slave; I hear nothing but the slave's cries for deliverance. Away with your paper barriers, away with your idle prating about state rights; clear the way. Let me run to the slave. Any thing that frees the slave is right, is owned by God.

We express here the sentiment and use very nearly the language of the abolitionists. They have no respect for government, as such. They indeed are fast adopting the ultra-radical doctrine, that all government is founded in usurpation, and is an evil which all true Christians must labor to abolish. They have, at least some of them, nominated Jesus Christ to be president of the United States; as much as to say, in the only practical sense to be given the nomination, that there shall be no president of the United States but an idea, and an idea without any visible embodiment; which is merely contending, in other words, that there shall be no visible government, no political institutions whatever. They have fixed their minds on a given object, and finding that the political institutions of the country, and the laws of the land are against them, they deny the legitimacy of all laws and of all political institutions. Let them carry their doctrines out, and it is easy to see that a most radical revolution in the institutions of the country must be the result.

Now, we ask, has a revolution become necessary? Is it no longer possible to labor for the interests of humanity in this country, without changing entirely the character of our political institutions? Must we change our federal system,

destroy the existing relations between the states and the Union, and between the states? Nay, must we destroy all outward, visible government, abolish all laws, and leave the community in the state in which the Jews were, when "there was no king in Israel, and every man did that which was right in his own eyes"? We put these questions in soberness, and with a deep feeling of their magnitude. The abolition ranks are full of insane dreamers, and fuller yet of men and women ready to undertake to realize any dream however insane, and at any expense. We ask, therefore, these questions with solemnity, and with fearful forebodings for our country. We rarely fear; we rarely tremble at the prospect of evil to come. The habitual state of our mind is that of serene trust in the future; and if in this respect we are thought to have a fault, it is in being too sanguine, in hoping too much. But we confess, the proceedings of the abolitionists, coupled with their vague speculations, and their crude notions, do fill us with lively alarm, and make us apprehend danger to our beloved country. We beg, in the name of God and of man, the abolitionists to pause, and if they love liberty, ask themselves what liberty has, in the long run, to gain by overthrowing the system of government we have established, by effecting a revolution in the very foundation of our federal system.

For ourselves, we have accepted with our whole heart the political system adopted by our fathers. We regard that system as the most brilliant achievement of humanity, a system in which centres all past progress, and which combines the last results of all past civilization. It is the latest birth of time. Humanity has been laboring with it since that morning when the sons of God shouted with joy over the birth of a new world, and we will not willingly see it strangled in its cradle. We take the American political system as our starting-point, as our primitive datum, and we repulse whatever is repugnant to it, and accept, demand whatever is essential to its preservation. We take our stand on the idea of our institutions, and labor with all our soul to realize and develop it. As a lover of our race, as the devoted friend of liberty, of the progress of mankind, we feel that we must, in this country, be conservative, not radical. If we demand the elevation of labor and the laboring classes, we do it only in accordance with our institutions, and for the purpose of preserving them by removing all discrepancy between their spirit and the social habits and

disposition of the people on whom they are to act, and to whose keeping they are entrusted. We demand reform only for the purpose of preserving American institutions in their real character; and we can tolerate no changes, no innovations, no alleged improvements not introduced in strict accordance with the relations which do subsist between the states and the Union, and between the states themselves. Here is our political creed. More power in the federal government than was given it by the convention which framed the constitution would be dangerous to the states, and with less power the federal government would not be able to subsist. We take it then as it is. The fact that any given measure is necessary to preserve it as it is, is a sufficient reason for adopting that measure; the fact that a given measure is opposed to it as it is, and has a tendency to increase or diminish its power, is a sufficient reason for rejecting that measure.

The constitution, then, is our touchstone for trying all measures. Not, indeed, because we have any superstitious reverence for written constitutions, or any overweening attachment to things as they are; but because we have satisfied ourselves by long, patient, and somewhat extensive inquiry, that the preservation of the constitution is strictly identified with the highest interests of our race. Its destruction were, so far as human foresight can go, an irreparable loss. We would preserve it then, not because it is a constitution, not because we are averse to changes, nor because we have a dread of revolutions, but because the safety and progress of liberty demand its preservation.

But can efforts on behalf of liberty be repugnant to a constitution established avowedly in the interests of liberty? The abolitionists are in pursuit of liberty; liberty is their great idea; liberty is the soul of their movements; liberty is to be the end of their exertions: how, then, can their proceedings be dangerous to liberty? Very simply. In their character of efforts merely in behalf of liberty, of course they are neither unconstitutional nor dangerous; but they may have another character than that; beside being efforts on behalf of liberty, they may be efforts which strike against international law. The abolitionist would free the slave. So far so good. But he would free the slave by forgetting that slavery is an institution under the sole control of a state of which he is not a citizen. Here comes the danger to liberty. Here is a blow struck at the rights of

communities, and as dangerous to liberty as a blow struck at the rights of individuals. He would free the slaves by combining the non-slave-holding states against the slave-holding states, by collecting in the non-slave-holding states a force sufficient to control the internal policy of the slave-holding states. Let him do this, and where is the independence of the states? Let him do this, and one part of the Union has complete control of the other; and when this is done, is not our federal system destroyed? It is possible, then, to pursue liberty in such a manner that the pursuit shall be in open violation of free institutions, and this is, as we allege, the case with the abolitionists.

But we can pursue the subject no further at present. We are sorry to be compelled to separate ourselves from the abolitionists. There is something exceedingly unpleasant in being, even in appearance, opposed to the advocates of freedom. We have ever been with the movement party; our own position, the much we have suffered from things as they are, the wounds yet rankling in our heart, together with our own love of excitement, of new things, to say nothing of certain dreams we indulge concerning a golden age that is to be, strongly dispose us to join with the abolitionists, and to rush on in the career they open up to a bold and energetic spirit. There is something, too, in the very idea of freeing two or three millions of slaves, which, in these mechanical and money-getting times, is quite refreshing and capable of dazzling many an imagination. It addresses itself to some of the strongest propensities of our nature, and gives us apparently an opportunity to indulge a taste for the adventurous and the chivalric. There is something almost intoxicating in going forth as a bold knight in the cause of humanity, to plead for the wronged and the outraged, to speak for the dumb, and to do valiant battle for the weak and the defenseless. Much that is noble, that is generous, that is god-like, naturally combines itself with such an idea, and enters into the motives of him who goes forth at its bidding. It may be that we have felt something of all this. But self-denial, even in the indulgence of what we call noble impulses, or rather the subordination of our impulses to the clearest and soberest convictions of our understandings, is one of the first laws of morality.

So long as we regarded the abolitionists as merely contending for the right to discuss the subject of slavery, we were with them; we spoke in their behalf, and were willing

to be reckoned of their number. Later developments on their side, and a closer examination of the bearing of their movements on the political institutions of this country, into which we have entered, have convinced us that the cause of free discussion is not now, if it ever was, at all involved in their proceedings; that the cause of liberty even, is by no means in their hands; and therefore that we ought to separate from them, and to state clearly and boldly the reasons which we think should induce all lovers of our common country to combine to stay their progress. It may be too late. We fear it is. The ball has been set in motion. It increases in momentum and velocity with every revolution, and the result we pretend not to be able to foresee. Already is it hazardous to one's reputation in this part of the Union to oppose them; already is it nearly impossible for any political party to succeed unless it can secure their suffrages. They have become a power. It is in vain to deny it. They are not likely to become weaker very soon. We have not, therefore, dared to keep our convictions in regard to them to ourselves. In opposing them we have had to show as much moral courage as they profess to have shown in opposing slavery. We have not, therefore, spoken from considerations we need be ashamed to avow. We may have spoken in vain. But we have said our word, feebly we own, but in sincerity; and we leave the result to God. We see danger ahead. We tremble for the fate of our republic; there are mighty influences at work against it; the money power is seeking to bind its free spirit with chains of gold, and mistaken philanthropy is fast rending it in twain; associations, sectarian and moral espionage are fast swallowing up individual freedom, and making the individual man but a mere appendage to a huge social machine, with neither mind nor will of his own; but we do not, we will not, despair of the republic. We hope with trembling, nevertheless we hope. The destinies of individuals or of nations are not left to blind chance. There is a providence that rules them, and we will trust that in due time the clouds that lower over us shall break and disperse, and the glorious sun of freedom and humanity shine forth in all his noonday splendors. We cannot go back to the night and gloom of the past; the irresistible law of progress does and will bear us onward; and this republic shall yet prove itself the medium through which the human race shall rise to the knowledge and enjoyment of the inalienable rights of man.

In conclusion, we would merely add, that in our judgment the first duty of the friend of freedom, of democracy, of progress, is to secure the political institutions established by our fathers. Nothing can come but in its time and in its place. There is a method to be followed in taking up and discussing the great questions which concern mankind, or the progress of society. Errors always come from the fact that we take them up in a false order. Our inquiry should be, What is the question for to-day? Having ascertained the problem for to-day, we should bend our whole attention to its solution. The answer of the question of to-day, will of itself lead to the solution of the problem which shall come up to-morrow. The question for to-day is the currency question,—not the most interesting question in itself surely, nor a question of the first magnitude; but it is the first in the order of time. It must be disposed of before we can proceed systematically to the disposition of any other. What will be the question for to-morrow we ask not. Sufficient for the day is the evil thereof. It will doubtless be a question of magnitude. Great questions are hereafter to be ever expected. Humanity approaches manhood, grows serious, and refuses to trifle. As it regards the slave question we leave it to those whom it more immediately concerns. If our republic outlive the dangers to which it is now exposed, the gradual unfolding of its spirit will abolish slavery; and we believe slavery will be sooner abolished, that is, the negro race sooner elevated to the rank of freemen, by leaving the whole matter to time, to the secret but sure workings of Christian democracy, than by any violent or special efforts of abolitionists, even if successful in declaring slavery abolished. Leave the whole matter to the slave-holding states, and in proportion as the negro advances internally, the legislature will spread over him the shield of the law, and imperceptibly but surely shall he grow into a freeman, if a freeman he can become.

If we would serve him and hasten that day, we shall best do it, not by direct efforts in his behalf, but by a steady development and realization of democratic freedom within the bosom of the non-slave-holding states. Let us correct the evils at our own doors, elevate the free white laborer, and prove by our own practice, and by the state of our own society, that the doctrine of equal rights is not a visionary dream. O we have much to do here at home. The beggar full of sores lies at our own gate. In our own dark streets,

blind courts, narrow lanes, damp cellars, unventilated garrets, are human beings more degraded, and suffering keener anguish, and appealing with a more touching pathos to our compassion, and demanding in more imperative tones our succor, than is the case with the most wretched of southern slaves. O here are objects enough for our humanity. We walk not through the streets of a single northern city without a bleeding heart. Wash the faces of those children, Abolitionists, which meet you in our cities encrusted with filth, clothe their shivering limbs, let in light upon their darkened minds, and warm their young hearts, before it is too late, with the hope of being one day virtuous men and women. Instead of poring over the horrors of slavery, read your police reports, and see your own society as it is. You have work enough for all your philanthrophy North of Mason and Dixon's line. Do this work, do it effectually, and you shall aid the cause of oppressed humanity everywhere, and the slave a thousand times more than by your direct efforts for his emancipation.

SUB-TREASURY BILL.

[From the Boston Quarterly Review for July, 1838.]

We regard the Sub-Treasury Bill as one of the most important measures which our government has proposed since its organization. It constitutes now, and will probably for some time to come, the great question in federal politics. Its adoption or rejection will have an immense bearing on our whole future history. We believe, therefore, it may be well to devote a few pages to the consideration of the principal arguments for it, and chief objections against it.

The principle of the Sub-Treasury Bill is simply that of providing for collecting, safe-keeping, and disbursing the public revenues without recourse to banks. We shall not trouble ourselves or our readers with the details of the bill. They are, we presume, in the main satisfactory; for we have heard little or nothing said against them. The principle of the bill is all that we feel much interest in; it is all the friends of the bill are very tenacious of, and all its ene-

mies very strenuously oppose. To the principles of the bill, as we have stated, shall we therefore confine the greater portion of the remarks we have to offer.

It may be assumed in the outset, that the government has the right to collect, keep, and disburse its revenues, by means of its own officers, without any recourse to bank agency. It may also be assumed that the banks have no natural claim on the government to be employed as its fiscal agents, and that they will have no injustice to complain of, if they are not so employed. Moreover, it may be assumed again, that the government may, if it choose, manage its fiscal concerns without any connection with banks or banking institutions. Banks are a contrivance of yesterday; but governments are older than history, older even than tradition; and there can be no doubt that they had fiscal concerns, which they managed, and in some instances very well too, a considerable time before banks were dreamed of. What has been done may be done. The question, then, on the side we are now viewing it, is one of expediency. Is it expedient for the government to dispense with banks, and all bank agency, in the management of its fiscal concerns?

Our government, in its measures and practical character, should conform as strictly as possible to the ideal or theory of our institutions. Nobody, we trust, is prepared for a revolution; nobody, we also trust, is bold enough to avow a wish to depart very widely from the fundamental principles of our institutions; and everybody will admit that the statesman should study to preserve those institutions in their simplicity and integrity, and should seek, in every law or measure he proposes, merely to bring out their practical worth, and secure the ends for which they were established. Their spirit should dictate every legislative enactment, every judicial decision, and every executive measure. Any law not in harmony with their genius, any measure which would be likely to disturb the nicely adjusted balance of their respective powers, or that would give them, in their practical operation, a character essentially different from the one they were originally intended to have, should be discountenanced, and never for a single moment entertained.

We would not be understood to be absolutely opposed to all innovations or changes, whatever their character. It is true we can never consent to disturb the settled order of a state, without strong and urgent reasons; but we can conceive of cases in which we should deem it our duty to demand a

revolution. When a government has outlived its idea, and the institutions of a country no longer bear any relation to the prevailing habits, thoughts, and sentiments of the people, and have became a mere dead carcass, an encumbrance, an offence, we can call loudly for a revolution, and behold with comparative coolness its terrible doings. But such a case does not as yet present itself here. Our institutions are all young, full of life, and the future. Here, we cannot be revolutionists. Here, we can tolerate no innovations, no changes, which touch fundamental laws. None are admissible but such as are needed to preserve our institutions in their original character, to bring out their concealed beauty, to clear the field for their free operation, and to give more directness and force to their legitimate activity. Every measure must be in harmony with them, grow, as it were, out of them, and be but a development of their fundamental laws.

The government of the United States is a congress rather than a government. It is not instituted for the ordinary purposes of government, but for a few, and comparatively a very few, special purposes. The ordinary rules for interpreting the powers of government can be applied to it only to a limited extent, and even then with great caution. The principal governments of the country, according to the theory of American institutions, are the state governments. These were intended to be the governments for the people in all their civil, municipal, domestic, and individual interests and relations. The federal government was designed merely to take charge of the external relations of the confederated states with foreign nations, and, to a certain extent, with one another. It was never intended to be a government affecting the private interests of the people, as individual citizens. It in fact repudiates every measure which would make it a great central government, giving law to the states; or which tends to give it a direct or indirect control over the private fortunes and affairs of the people; and it can own only such measures as tend to keep it within its province, to preserve its original idea, and enable it to discharge its legitimate functions.

Undoubtedly the federal government may take such measures, though they affect the private fortunes and relations of individual citizens, as are *necessary* to the exercise of its delegated powers. But they must be necessary, not merely convenient. The rule always to be observed is,

the federal government must touch the individual citizen as seldom and as lightly as possible, consistently with the faithful discharge of its constitutional duties. Should two measures be proposed for accomplishing a constitutional end, one of which has very little bearing on individual citizens, leaving them almost entire freedom, the other connecting the government intimately with all the business of the country, and bringing it into a close relation with every individual citizen; the first ought to be adopted instead of the last, although the last might be the most feasible of the two, and likely to be attended with more beneficial results. What may not be consulted openly and done directly, must never be consulted covertly and done indirectly. We must avoid, as far as practicable, all incidental action of the government,—and that too when it promises to be useful as well as when it threatens to be injurious.

These principles, we believe, are sound. We do not mean to say that some persons may not be found who will controvert them; for there are persons to be found who do not very well comprehend the relations which were originally established between the federal government and the state governments, and who have a strong desire to make the federal government the supreme government of the country. But they are the only principles we can adopt, if we mean to avoid the charge of being revolutionists, and to preserve our institutions in their real character; if we mean to preserve to the states, as we ought, the main business of government, and to restrict the federal government in its action to the special purposes for which it was originally instituted.

Yet these principles have been departed from. The federal government, in point of fact, has become the supreme government of the land. It is no longer a congress for regulating our relations with foreigners, for adjusting the intercourse of the states with one another, and providing for the general defence; but it has become a grand central government, affecting, by its measures, individual interests and relations more powerfully than the action of the state governments themselves. The people, at least a large and influential portion of them, have come to regard it as the supreme government. They think of it as such; speak of it as such; commend it as such; condemn it as such. All eyes turn towards it. Do capitalists want to change their mode of investment, congress must provide for the change;

do their profits turn out to be less than their wishes, congress must raise the tariff of duties to make them greater. Is there distress in the money market, commercial embarrassment, the federal government has caused it; are our factories closed, ships hauled up to rot, industry paralyzed, and the laborer seeking in vain for employment, the federal government is in fault, and congress must afford relief.

Federal politics, too, absorb state politics. State legislators vote on a bill for the organization of a primary school, or for constructing or repairing a bridge, according to their opinions on a bill before congress, or the fitness or unfitness of this or that man to fill the presidential chair. A federal warrant must be obtained before one feels himself authorized to support a measure of state policy; and the merits or demerits of any given measure will be determined by the fact, that it is or is not opposed by the federal administration. Federal politics therefore decide every thing, and reduce state politics to insignificance.

Is this the order of things demanded by the genius of our institutions? Does this comport with the divine idea with which our fathers were inspired? Was the federal government framed to be the supreme government, and intended to invade by its acts even our domestic firesides? Does the theory of our institutions make the state governments mere prefectures, dependent on and accountable to the federal government? Most assuredly not. Widely then have we departed from that theory, and fearfully rapid has been our progress towards centralization, which is only another name for despotism. Without delay, then, should we hasten to retrace our steps, and return to the special purposes for which the government was instituted, and beyond which it should never have strayed.

The people are honest, and they mean to preserve their democratic institutions. They never would have suffered this departure from first principles, had they clearly perceived the precise nature of the federal government. Our system of government, though exceedingly simple, has nevertheless the appearance of being exceedingly complex. Foreigners rarely, if ever, comprehend its real character. They regard the federal government as the supreme government, the state governments as inferior and subordinate. Their view of it presupposes the federal government to have possessed in the outset all the powers of government, and to retain in its possession now all not conceded to the states.

Many of our own citizens seem to fall into the same error. They appear to regard the constitution of the United States as a limitation, rather than as an enumeration, of the powers of the federal government. They seem to forget that the sovereignty exercised by the federal government is after all vested in the states, and is exercised by the federal government only because the states have by mutual compact agreed that that portion of their sovereignty shall be so exercised. They have therefore felt that the federal government, instead of being at liberty to do only what it has the express leave to do, is at liberty to do whatever it is not forbidden to do; that where it has not the power to act directly, it may act indirectly; and while in the pursuit of a constitutional end, it may accomplish incidentally any object it can, providing that object promises to be of general utility. They have therefore been able to see, without alarm, the government touching more interests and exerting almost infinitely greater control incidentally, than it can directly, in the plain straightforward exercise of its constitutional powers. They have also, in consequence of adopting this principle of interpretation, been able to solicit, without compunction, a continual extension of this incidental action, and to allege pretexts for so extending it as to bring it home to every man's "bosom and business." Had they clearly perceived the true character of the federal government, they had not seen this without lively alarm, nor done it without poignant remorse.

In consequence of adopting the rule, that the government may do incidentally what it may not do directly, and what is not necessary to the discharge of its constitutional functions, three systems of policy have grown up, which not only create obstacles to a return of the government to its legitimate province, but also perpetuate inducements for it to depart further and still further from it. These are the system of internal improvements; the American system, as it is called; and the connection of the government with banking. There is no constitutional grant of power to the federal government in favor of any one of these. Congress has the right to establish post-offices and post-roads, and to provide for the general welfare; therefore it has been contended that it may intersect the whole country with great roads, and undertake any work of internal improvement that promises to be generally useful. It has no right to lay a protective tariff, but inasmuch as it has the right to lay imposts

for the purposes of revenue, it may lay them to double the amount needed for revenue, and so lay them as to tax one portion of the community to enhance the profits of another, and in point of fact so as to affect all the business relations of the whole country. Under the grant of power to regulate commerce, to coin money and fix the value thereof, it is contended that it has the right to be connected with the banks and the whole business of banking. By means of its connection with the banks and banking business, it is brought into the closest connection with every man, woman and child in these twenty-six confederated states. We say nothing against banks and the banking system. We are not now inquiring whether the system be a good or a bad one. What we are contending for stands above and independent on any views anybody may entertain of banks or banking. The banks are intimately connected with all the business concerns of the community; they affect the private fortune of every individual; they determine, to a great extent at least, the price of every article bought or sold, produced or consumed. The government, by being connected with them, becomes connected with the business concerns of every individual citizen, and controls those concerns, just in proportion as it is connected with the banks or exerts a controlling influence over their operations.

By means of the internal improvement system, of the American system, and its connection with banks, the federal government has become the supreme government of the land. We say *has* become, perhaps it were as well to say *had* become. The tendency to centralization was unchecked till the accession of General Jackson to the presidency. During his administration it began to be arrested. Some may indeed question this fact, and we will not insist on it so far as concerns the executive department of the federal government. Circumstances, not sought by General Jackson, and which we see not well how he could have controlled, threw into the hands of the executive an uncommon share of power, and gave to administrative measures an influence and importance, which we hope never to see possessed by the measures of any subsequent administration. Nevertheless, the tendency,—excepting always a certain proclamation,—so far as the doctrines promulgated and measures recommended were concerned,—was arrested. The internal improvement system was vetoed, the American system was modified, compromised, and sent on its way

to the place whence it came. And now, if we mean to finish the work, and arrest completely and perhaps for ever, this dangerous tendency, we must disconnect the government from all banks and bank agency, and adopt the principle of the Sub-Treasury bill.

Now, as we have taken it for granted that nobody amongst us is for changing the fundamental laws of our institutions, or for disturbing the relations which our fathers saw fit to establish between the federal government and the state governments, we see not well how any man can avoid coming to the above conclusion. There are only two courses for us to take. One course is to make the federal government, by its connection with the banking business, and through that with private credit, which is, in this country, the basis of most business transactions, the supreme government, the government controlling all the state governments, and the one which most vitally affects the people. We can take this course if we will. Revive the deposit system, or charter a national bank, and we shall have taken it. But then our institutions are radically changed; the wisdom of our fathers set at nought; and we ourselves afloat on the tide of a new experiment. We trust that we are, as a people, yet too near the cradle of our institutions, and that we yet feel too much of the joy that thrilled our hearts, when we were told the young child, Liberty, was born, to be prepared for this. We trust also that we have too much stability of character, firmness of purpose, and self-respect, to disappoint at once the hopes of the friends of freedom throughout the world, who have been looking to us for encouragement, and for a triumphant answer to those who allege that society cannot subsist without kings, hierarchies, and nobilities.

The other course is to adopt the principle of the Sub-Treasury bill, and divorce the government from its destructive alliance with the business of banking. It is to follow out the policy already commenced; and as we have abandoned the internal improvement system, and the protective system, so now to abandon the banking system. We mean not by this that the government is to wage a war against the banks, but that it shall let them alone. If the states have not yielded up to the general government their right to institute banks, the banks are matters wholly within the jurisdiction of the states, and we should be the first to repel any attacks the federal government might be disposed to

make on them; and this too whether we approved the banking system or not. The states are competent to manage their own affairs. We ask nothing of the federal government in relation to banks, but to provide for the management of its fiscal concerns without making any use, directly or indirectly, of their agency.

The adoption of this principle will be for the federal government to withdraw itself within its legitimate province, from which we can see nothing, very soon at least, likely to tempt it forth again. This will leave a broader field and weightier matters to the state governments, which will raise their importance in the estimation of the people, make them objects of more serious attention, enlist more talent in ther administration, and make them altogether more practically useful. We have no wish to underrate the federal government. If the tendency of the times were to lessen its importance, we should set forth its claims in as strong terms as we now do those of the states. Because we value the rights of the states, it must not be inferred that we do not value the Union. The Union is by no means likely in our days to be underestimated. The centripetal force is altogether too strong for that. Should we, however, see the centrifugal force predominating, and be led to apprehend any danger, from a tendency to individuality, to disunion, dissolution, we trust we should be found among the fast friends of the Union. But we are not one of those who neglect the danger which now is, to utter warnings against a danger which may possibly never come. Sufficient for the day is the evil thereof. The federal government is indispensable, and in its sphere, it should be preserved at all hazards. But it is after all less essential than our state governments. Our external relations, our affairs as communities, which it belongs to the federal government to watch over and regulate, are of far less consequence than our relations as individual citizens. The former are few, and comparatively remote, while the latter are many and intimate. The first affect us only occasionally, the last continually, every moment. The federal government is also so far removed from the individual citizen, and permits so few to take part in its deliberations or administration, that it can never legislate for private interests, wisely, usefully, and safely, even if it have the constitutional right to do it. The states are therefore the more important institutions of the two. They should therefore claim our first attention.

Political men will not be thinking perpetually then of what may be thought at Washington. They will have leisure to bestow their best thoughts on state legislation, on the means of removing abuses which weigh heavily on the individual citizen, of improving our systems of jurisprudence, increasing the facilities for popular education, encouraging literature and the arts, and elevating the individual man. The balance between the state and the individual, between the federal government and the state governments, may be readjusted, and we be at liberty to develop the resources of our noble country, to avail ourselves of our commanding position, and to prove ourselves a people worthy to be studied and imitated.

The principle of this bill ought also to be adopted, because it simplifies the fiscal concerns of the nation, and keeps them clear of the complicated financial systems of the Old World. The real governments of the Old World are at this moment on 'change or the Bourse, and the regulation of funds is the principal business of government. Government, instituted for the social weal of the people, becomes thus the mere instrument of private interest, of stock-jobbers, speculators in the funds. We do not want this state of things here. We want a government simple, open, and direct in its action, performing in the simplest and plainest manner possible the functions assigned to it.

We have also commenced in this country a new system of government, not in form only, but in spirit. We reject the maxim, that it is necessary to deceive the people for the people's good, and adopt the maxim, that honesty is the best policy. To carry out this maxim, it is necessary that the government should always tell the truth, both in its words and its deeds. It has a right to impose taxes, but only for defraying the expenses incurred in the legitimate exercise of its constitutional powers. It may lay imposts and collect revenues for this purpose, and for this purpose only. It has then no right to use its revenues, or to suffer them to be used, for any other purpose. Now, when it deposits its revenues in the banks, whether in a national bank or in a state bank, in general deposit, as it is contended it should, it uses its revenues, or suffers them to be used, for other purposes than those of defraying its expenses They are not deposited there for safe keeping, as the people are taught to believe, but to be made the basis of loans to

the business part of the community. They serve the purpose of sustaining the credit of the banks, and, through the banks, of the merchants and manufacturers. This is to collect the revenues for one purpose, and to appropriate them to another. This is to deceive the people, and to depart from the fundamental maxim of our state policy. If it be necessary to tax the community some thirty millions of dollars annually, to sustain the credit of the business men, and to enable them to carry on their extensive operations, let them be so taxed; but let it be openly and avowedly. The people will know then what they are taxed for. But so long as the revenues are avowedly collected for the purpose of defraying the expenses of the government, they should be sacred to that end. If in this way a portion of the funds of the nation be useless, it may operate as an inducement to make the taxes as light as possible, which in its turn will relieve the people, and keep the government poor; and by keeping it poor, keep it honest, free from corruption.

The greatest objection, or one of the greatest objections to the deposit system, in either a national bank or in state banks, is that it gives to the banks the use of the government funds. Being given to the banks, the use of these funds is virtually given to the business community. The business community, so long as it has the use of them, will not be anxious to reduce the revenues. It will prefer high taxes, and favor the accumulation of a surplus, because by having the use of the funds to sustain its credit, it gets back more than it is obliged to pay in taxes. This part of the subject, Mr. Calhoun, in his speech of February 15th, has set in a clear light, and his remarks deserve to be read and pondered well by every freeman. The policy of our government should be to make the taxes as light as possible, consequently to look with distrust on all measures the direct tendency of which must be to increase them.

It may also be maintained, with some plausibility at least, that it is for the true interest of the banks themselves to have no connection with the fiscal concerns of the government. It has never, we believe, been the intention of the people to place the real government of the country in the bank corporations. They have, we believe, always intended that the government should maintain its supremacy, and follow its own interest and that of the country, regardless of the special interests of the presidents and directors of banks. In case the government maintains its supremacy, the

amount of its funds, the time, place, and extent of its appropriations, must always be matters beyond the control of the banks, and also matters which they may not always foresee or be prepared to meet. Government will have it in its power to disturb, whenever it chooses, their nicest business calculations, and thwart them in their most cherished plans. It may call upon them for its funds, when they are all loaned out, and when they cannot be called in without great detriment to the business operations of the community, often not without producing a panic, financial embarrassment, commercial distress. If there be but one bank, or if there be one mammoth bank, it may perhaps profit by panics, financial embarrassments, commercial distress, but the banks generally cannot. Their interest is one and the same with that of the business community; it is best promoted by sustaining credit, by keeping the waters smooth and even, the times good and easy. They ought, then, to be free from all connection with a partner over whose operations they have no control, and who may choose to withdraw his investments at the very moment when they are most in need of them. It is altogether better for them to trust to their own means, and to keep to their proper vocation, than it is to mix up their interests with those of the government. The history of the late deposit banks may be thought to afford some evidence of the truth of this.

We did intend to adduce several other considerations in favor of the Sub-Treasury bill, but our limits forbid. We have barely room left to offer a few brief remarks on the principal objections we have heard urged against it.

The bill is said by some to be objectionable, because in its original form, it contemplates the disuse of bank notes in payment of the public dues. But this is essential to the principle of the bill. It is impossible to separate the government from the business of banking, so long as it receives or pays out bank notes. There is no difference in principle between receiving a bank note, and making a bank deposit. A bank note is merely a certificate of deposit in the bank in favor of its holder, to its nominal amount. If the bank be solvent it will be paid on demand, and so will be the deposit made in any other form.

Then again, why should the government receive the notes of banks rather than of individuals? Bank notes are not money,—currency. Their value consists in the confidence entertained by the community, that their promises to pay

money will be redeemed on demand. Notes of individuals may be as likely to be redeemed as these bank notes, may be worth as much, and be in as good credit. Why not take them? Why not take the notes or bonds of the government debtors, as sufficient? The principle would be the same with that of taking bank notes. What would the people think of a provision for receiving the notes of certain individual merchants or manufacturers in payment of the public dues?

Bank notes, we have said, are not currency. Currency is that which passes current in the legal discharge of debts. In no case, except that of the government, are bank notes ever made a legal tender. No creditor but the government is under any obligation to receive them. Why shall the government be compelled to receive them? Why may not the government, as a creditor, be placed on an equal footing with any other creditor?

Bank notes are no doubt convenient and highly useful in commercial transactions. A change in the source and method of their emission, together with additional securities for their redemption, is unquestionably demanded, and must ere long be effected; but no one at all acquainted with the business transactions of the commercial world will think of dispensing wholly with their use. But when they have no legal value in the discharge of debts, when they are left for their circulation, so far as the law is concerned, to the free-will and confidence of the community,—they have even then a natural tendency to become superabundant, and to stimulate individual credit beyond what is consistent with its soundness. Should the government receive them in payment of the public dues, it would strengthen this tendency, and greatly aggravate its evil consequences. Bank notes will become sufficiently abundant, and be in as good credit as they deserve, although the government should have nothing to do with them, neither receiving them nor paying them out.

We are also disposed to concur with Mr. Calhoun in the position he has assumed, that the federal government cannot place its funds in the banks in general deposit without violating an express clause of the constitution. He contends that when the revenues are collected and deposited in the banks, they are, if ever, in the treasury. The constitution says expressly, that "No money shall be drawn from the treasury but in consequence of appropriations made by law."

The public funds deposited in the banks are drawn from them for other purposes than those of meeting appropriations made by law; they are made by the banks the basis of discounts, and are frequently all loaned out to their customers. Can this be done without violating the constitution?

If the principle involved in this statement be admitted, it follows as a necessary consequence, that the government cannot receive bank notes in payment of the public dues. In denying the right to make the deposit, we necessarily deny the right to receive the notes. To receive the notes of the banks, since these notes are only certificates of deposit, is only an indirect way of making bank deposits. The right to receive them can then rest only on the right to make the deposits.

Mr. Webster promised to reply to this constitutional objection, but, unhappily, he failed to redeem his promise. He merely proved that the government had been in the habit of receiving bank notes in payment of the public dues, —a fact well known and admitted by Mr. Calhoun. The fact, that the government has been in the habit of receiving bank notes, does not prove that it has the constitutional right to receive them. In establishing the fact, therefore, Mr. Webster did not establish the right,—the only point he was called upon to establish. As he did not do this, since it was what was essential to be done, we presume he could not. If Mr. Webster could not, who can? We conclude, therefore, that Mr. Calhoun is correct, that the government has no constitutional right to place its funds in the banks in general deposit, nor to receive bank notes in payment of the public dues; and consequently the objection to the bill, we are considering, is not an objection to the bill itself, but to the constitution.

Mr. Webster's main objection to the bill is, that it does not provide for a uniform currency, safe and of equal value throughout the Union. This objection is about as reasonable as would be the objection to a bill fixing the weight and fineness of the dollar, that it does not fix the length of the yard-stick. The bill professes simply to provide for collecting, safe keeping, and disbursing the public revenues, without any recourse to banks or to bank agency. To object to it that it does not effect another object, and one which it does not contemplate, is hardly fair. Is it Mr. Webster's creed, that all governmental measures should be

avowedly adopted for one object, but really and intentionally for another and a different object? If so, he must pardon us; we cannot, with our present notions of honesty and plain-dealing, consent to embrace it.

Mr. Webster insists upon the obligation of the federal government to provide for a uniform currency, safe, and of equal value throughout the Union. He reiterates this, and dwells upon it with as much earnestness as as if he verily thought he was bringing out a novel and unadmitted theory. But, really, in the constitutional sense of the term currency, nobody disputes him. It was unquestionably the intention of the framers of the constitution, that the federal government should provide for a currency which should be uniform and of equal value throughout all the states. The union of the states was desired and affected principally to facilitate their commercial intercourse with one another and with foreign nations. Commerce craved and effected the Union, made us one people. Without the Union, the states would have been to each other foreign nations, and the commercial transactions between the citizens of one state and those of another would have been subjected to the laws which govern the trade of our citizens with the subjects of England, France, or any other foreign nation. This was a thing to be avoided. It was desirable to bind the states together in a closer intimacy than that of foreign states, and to make the business intercourse between the citizens of one state and the citizens of another state, as facile and as safe as the business intercourse between citizens of the same state.

But this was to be effected only by giving to the federal government the power to provide for a uniform currency, to "coin money and regulate the value thereof." Had this power over the currency been retained by the states individually, there might have been as many currencies as states. What was coin in one state would have been bullion in relation to another. Coins of the same denomination might have varied in value as you passed from state to state, and there would have been no currency in the Union with which debts could be discharged alike in all the states. To avoid this last result, the states were prohibited from issuing bills of credit, and from making any thing but gold and silver a legal tender. This prohibition was not laid on the states for the purpose of protecting the citizens of the same state against one another, but the citizens of one state against those

of another state. The object in view was still a uniform currency. It was to secure to every creditor payment in currency which would be of equal value in whatever part of the Union he might wish to use it.

Now thus far we contend as earnestly as Mr. Webster, that it is the duty of the federal government to furnish a uniform currency. We contend that this is one of the chief duties of the government, not merely that it may equalize taxes and provide a uniform currency in which to collect its revenues, as we have heard it suggested by some, but also to provide for the wants of commerce, to facilitate the business intercourse between the citizens of one state and those of another. But we do not find that this implies an obligation on the part of the federal government to provide a currency of bank paper, which shall be safe and of uniform value throughout the states. We cannot find that the constitution and laws know any other currency than that of gold and silver; and when we consider the object which led to the prohibition of the states from issuing bills of credit, and from making any thing but gold and silver a legal tender, we may safely conclude that it was the intention of the framers of the constitution, that gold and silver alone should constitute the legal currency. Bank notes may circulate, because they are convenient, and because it may be believed that they will be redeemed in specie on demand, as may bills of exchange and the promissory notes of individuals; but however much they may circulate, they do not constitute a legal currency. It is always optional with the creditor, whether he will receive them or not. So far as the law is concerned, he may always insist on payment in gold and silver. If he consents to take bank notes and discharge his debtor, the law regards it and treats it as a private contract, bargain, or agreement.

Mr. Webster himself,—when it suits his purpose,—contends that gold and silver constitute the only currency known to the constitution and laws. The following extract from a speech of his in congress, in 1816, is very clear and satisfactory on this point.

"Mr. Webster first addressed the house. He regretted the manner in which this debate had been commenced, on a detached feature of the bill, and not a question affecting the principle; and expressed his fears that a week or two would be lost in the discussion of this question, to no purpose, inasmuch as it might ultimately end in the rejection of the bill. He proceeded to reply to the arguments of the advocates of the bill. It

was a mistaken idea, he said, which he had heard uttered on this subject, *that we were about to reform the national currency. No nation had a better currency,* he said, than the United States; there was no nation which had guarded its currency with more care, for the framers of the constitution, and those who enacted the early statutes on this subject, were *hard money men;* they had felt and therefore duly *appreciated the evils of a paper medium;* they therefore sedulously guarded *the currency of the United States from debasement. The legal currency of the United States was gold and silver coin;* this was a subject in regard to which congress had run into no folly.

"'What then,' he asked, 'was the present evil? *Having a perfectly sound national currency, and the government having no power in fact to make any thing else current but gold and silver, there had grown up in different states a currency* of paper issued by banks, setting out with the promise to pay gold and silver, which they had been wholly unable to redeem; the consequence was, that there was a mass of paper afloat, of perhaps fifty millions, which sustained no immediate relation *to the legal currency of the country,*—a paper which will not enable any man to pay money he owes to his neighbor, or *his debts to the government.* The banks had issued more money than they could redeem, and the evil was severely felt,' etc. Mr Webster declined occupying the time of the house, to prove that there was a depreciation of the paper in circulation. *The legal standard of value was gold and silver;* the relation of paper to it proved its state, and the rate of its depreciation. *Gold and silver currency, he said, was the law of the world abroad; there could, in the present state of the world, be* no other currency."*

Nevertheless Mr. Webster means a bank currency, when he contends the federal government is bound to provide a safe and uniform currency of equal value throughout the states. He infers the government is bound to provide this currency, not only from its general power over the currency, but also from its special power to regulate commerce. Its general power over the currency extends only to coining money and regulating its value. The power to regulate commerce, even he in his sober moments can hardly contend, reaches his case. On this point Mr. Calhoun's reply to him is sufficient.

"The last argument of the senator, on the question at issue, was drawn from the provision of the constitution, which gives to congress the right to regulate commerce, and which he says involves the right and obligation to furnish a sound circulating medium. The train of his

*Speech of Mr. Calhoun, of South Carolina, in reply to Mr. Webster, on the Sub-Treasury Bill. Delivered in the Senate of the United States, March 22, 1838 (pp. 13, 14).

reasoning, as far as I could comprehend it, was, that, without a currency, commerce could not exist, at least to any considerable extent, and, of course, there would be nothing to regulate; and, therefore, unless congress furnished a currency, its power of regulating commerce would be a mere nullity; and from which he inferred the right and obligation to furnish not only a currency, but a bank currency! Whatever may be said of the soundness of the reasoning, all must admit that his mode of construing the constitution is very bold and novel. To what would it lead? The same clause, in that instrument, which gives congress the right to coin money and regulate the value thereof, gives it also the kindred right to fix the standard of weights and measures. They are just as essential to the existence of commerce as the currency itself. The yard and the bushel are not less important in the exchange of commodities, than the dollar and the eagle: and the very train of reasoning which would make it the right and duty of the government to furnish the one, would make it equally so to furnish the other. Again: commerce cannot exist without ships and other means of transportation. Is the government also bound to furnish them? Nor without articles or commodities to be exchanged, cotton, rice, tobacco, and the various products of agriculture and manufactures. Is it also bound to furnish them? Nor these, in turn, without labor; and must that too be furnished? If not, I ask the senator to make the distinction. Where will he draw the line, and on what principles? Does he not see that, according to this mode of construction, the higher powers granted in the constitution, would carry all the inferior, and that this would become a government of unlimited powers? Take, for instance, the war power, and apply the same mode of construction to it, and what power would there be that congress could not exercise, nay, be bound to exercise? Intelligence, morals, wealth, numbers, currency, all are important elements of power, and may become so to the defence of the Union and safety of the country; and, according to the senator's reasoning, the government would have the right, and would be in duty bound to take charge of the schools, the pulpits, the industry, the population, as well as the currency of the country; and these would comprehend the entire circle of legislation, and leave the state governments as useless appendages of the system." *Ib.*, pp. 14, 15.

Mr. Webster contends, that since a paper currency has sprung up in the states under the auspices of state legislation, which answers in many respects all the purposes of the legal currency, it ought, in order to be uniform, current alike in all parts of the Union, to come under the control of the federal government. Now, if he is right in this, he must admit that the federal government has the supreme control over all the banks in the country, the full right to determine the mode and extent of their issues, and the securi-

ties they must give the public for the redemption of their notes. A power less unlimited than this will not meet the exigencies of the case. But the federal government can have this power over only the banks of its own creation. Nobody can be mad enough to contend that it may have this power over state institutions. State institutions for furnishing a paper currency must then be abandoned, and federal banks alone be tolerated.*

If the power supposed be vested in the federal government, the constitutional right of the states to incorporate banks must be given up. Our state banks are all unconstitutional, and the recent act of the legislature of the state of New York, authorizing private banking is unconstitutional also. Will Mr. Webster go this length? Is he aware that the ground he assumes is incompatible with the constitutionality of the state banks? We believe he is, and notwithstanding his professions of regard for them, that he is very nearly prepared to abolish them. No man has said harder things against them, and we believe his soberest convictions are, that the federal government only has a right to incorporate a bank. It becomes the friends of state banks to look well to Mr. Webster's arguments for a sound, uniform, national bank paper currency. Just as much power as he claims for the federal government over the paper currency of the country, just so much does he deny to the states; and as he claims the supreme control for the federal government, he of course leaves nothing to the state governments.

The bill under discussion is also accounted objectionable,

*It will not alter the state of the case at all, to say that congress need not exert this control directly; that it may do it indirectly through the agency of a great national bank. Granting, what however we much doubt, that a national bank would exert the control over state banks here supposed, congress has no more right to create a bank for exerting that control, than it has to exert it immediately by direct federal legislation. Nothing is clearer than that a government may not do mediately what it may not do immediately. If it have no right to control state banks by direct legislation, it of course has no right to establish a bank to do it. Consequently, if the federal government is bound to regulate the circulation and value of bank paper, it must have the supreme control over the sources of its emission. It can have this control over no institutions but those of its own creation. Either then the federal government must, after having done its duty in relation to a gold and silver currency, leave bank issues entirely to the people and the states, or else all state banks, or institutions created by the states to furnish a paper currency, must be given up. We yield Mr. Webster either horn of the dilemma.

by some, because it will lock up the money of the country in the government vaults, and keep it from general use. But this can be the case only to a limited extent. It is not the policy of modern governments to hoard money. The true theory of our government is to collect no more money than is wanted for its necessary expenditures, consequently what is collected must be immediately disbursed in payment of government creditors, and go again into general circulation. Very little will be kept constantly on hand. Mr. Wright thinks about five millions. Mr. Calhoun, in our judgment more correctly, thinks three millions will be nearer the truth. The bill will tend, if adopted, to keep down the taxes or revenues. The business portion of the community, who are now for high taxes, because they have the loan of the government funds, will, when they find they can make no use of them, and derive no advantage from them, exert their whole influence to keep them down to the wants of the government, and also to keep the wants of the government as few as is compatible with its free and healthy action. In this way altogether more will be gained to the country than will be lost by suffering a few millions of dollars to lie idle in the government vaults.

It is said that the bill increases the patronage of the government. It adds nine additional clerks to the present list of government agents, and creates four new offices of receivers-general. This is not much, not sufficient to alarm any man possessed of tolerable nerves. As for the power of the government over the public funds, it remains precisely the same under the new arrangement as under the old. The change in this respect is merely taking away the control of the banks over the public money, without increasing that of the government. The objection would be nearer the truth if it read, The bill diminishes the influence of the banks over the fiscal concerns of the government. Put it in the worst light possible, all that can be said is, the safe-keeping of the government funds is placed in the hands of government officers, instead of the hands of irresponsible bank presidents and directors. Is this a weighty objection?

The money will not, it is said, be safe. All safety is comparative. They who have money must run the risk of losing it. Government vaults may be made as safe as bank vaults, and perhaps there may be government officers who are as honest, as trustworthy as the officers and agents of banks, whether state or national. The chances against loss

are much greater under the bill, than under the deposit system, in either of its forms. Under the bill, honesty and ordinary prudence alone will suffice to keep them safe, for they are locked up. Under the deposit system they are loaned out, and it depends on the sagacity and accurate calculations, as well as the honesty of the bank agents, and on the honesty and ability of the bank debtors, whether they shall be kept safe or not.

These are the principle objections which we have heard urged against the bill. It is in reality unobjectionable, and the opposition to it does not arise from any conviction that the measure itself will not work well, but from the fact, that it does not give to the business community the use of the government funds, during the period which elapses between their collection and disbursement. From the organization of the federal government up to the present moment, the business community, by means of the funding system and bank agency, have had, in a greater or less degree, the use of the public funds, and made them, to a great extent, the basis of their credit and business operations. They have had the use of these funds so long that they seem to have forgotten that they were originally collected, not for them, but for the government. They seem to think that long possession has given them a right to them, and now that the government proposes to reclaim them, and to make them sacred to the uses for which they were collected, they feel themselves sorely grieved, and talk of the government, as though it were doing them a wrong. We hope, however, they will moderate their wrath, and meditate with a little soberness. If they do, we think they must be satisfied that the government is not wronging them.

For ourselves, we can see no reason why the business portion of the community should have, directly or indirectly, the use of the government funds. We will charge upon no class of our fellow-citizens the doctrine that the government ought to protect or specially favor one portion of the community, as the means of benefiting other portions of the community. We do not believe that the business men will maintain, in general thesis, that government ought to favor them, facilitate their operations, in order to enable them to advance the interests of the farmer and the artizan. There is, we devoutly hope, nobody among us to contend that the government should hire one class to take care of another. For here, everybody knows, government can give to one class

only what it takes from another. We go against all special protection, against all special favors. We wish well to commerce, well to manufactures, well to agriculture, well to mechanic arts. These are all sister interests; and when government does not choose to single out one as the special object of its caresses, they all live harmoniously together, and add to each other's comfort.

If, however, any interest in this country needs to be protected more than another, it is the interest of what may be termed productive labor. Commerce and manufactures do not need with us any especial care of the government. Of all interests among us, they are those which can best take care of themselves. Money always secures the influence needed for its own protection. It is those who come not into the moneyed class, honest, but humble laborers, who are usually deficient in the power to protect themselves. But for these we ask no special protection, no special governmental action. Leave industry free, unshackled, and they will work out their own salvation.

If this bill become a law, it will, in our judgment, mark a new era in the history of our government. It will greatly diminish the business of the government, lessen the demand for legislation, and leave more to individual freedom, skill, and enterprise. Some inconveniences at first must doubtless be anticipated. It will take some little time for things to settle down, for business to find a smooth and safe channel. No important change, however beneficial or desirable, can be effected without more or less of inconvenience and suffering. We gained not our national independence, without inconvenience, without long and painful sacrifices. Yet it is thought now to be worth all it cost us.

If this bill become a law, we shall have gained, in addition to our political independence, social independence, which is still more valuable. The moneyed interest will be prevented from converting our government from a democracy into a timocracy, and the people, the whole people, will be in fact, not in name only, the state, under justice, the real sovereign. Our republic will continue its peaceful march of freedom, and realize the idea of its venerated founders. There is a glorious future before us. If we only possess the wisdom to decide rightly the great questions, as they from time to time come up, we shall assuredly realize it. We love to contemplate the destiny which may, and which we trust will be ours; and we could expatiate with

no little enthusiasm on it; but we forbear. Whatever may be the fate of the bill, we despair not of the republic. The people here are strong; and though they may err for a moment, or for a moment be deceived, they will come round right in the end, and prove that *vox populi* is, after all, the surest rendering of *vox Dei*.

ULTRAISM.*

[From The Boston Quarterly Review for July, 1838.]

The author of this volume is a worthy, and we would fain believe, a useful man. He is sincere, earnest, and ambitious to do what in him lies for the advancement of his race. He is quite a reformer, and appears to doubt not that he shall soon be able to recover for mankind the long lost Eden.

According to him, so far as we have been able to collect his theory, the seat of life, thought, and virtue, is in the stomach, and the devil, or soul destroyer, always makes his appearance in the form of roast beef, pig, mutton, fish, rich sauces, or some savory dish or other, and is to be vanquished only by inducing mankind to feed on apples, mush, cold boiled potatoes, with now and then a dessert of parched corn. Apples are the author's favorite dish for reforming the world, and curing all the ills that flesh and spirit are heirs to. His love for apples seems to be very great, even surpassing the love of women; and we cannot help fancying that should he be admitted into paradise and find no apples there, it would be no paradise to him. May apples go with him wherever he goes. We too are fond of apples. But as for mush, to be eaten without milk, butter, sugar, or molasses, Yankee dish under the name of hasty-pudding, and immortalized by the immortal Barlow's song, though it be, we will none of it. Cold boiled potatoes, unsalted, and no water even to wash them down,—may the author of the delectable book before us enjoy the sole monopoly of digesting them!

**The Mother in her Family; or, Sayings and Doings at Rose Hill Cottage.* By the author of "The Young Wife," &c. Boston: 1838.

We have no doubt that many of the ills of life come from indigestion. We certainly would not be ungrateful to the man who labors to give us a good digestion. We moreover do by no means object to a simple diet. A simple diet, and by simple diet we mean one into which little animal food enters, is the most favorable to health and to enjoyment. But because a man wishes to recommend a simple diet, he need not run mad. The earth is filled with a profusion of good things, suitable for food, and we see no reason why we should reject all of them, save apples, mush, and cold potatoes. The way to preserve health and enjoy life is not to starve one's self to death, or to compel one's self to feed on the coarsest and least nutritious provender. Why, therefore, may not the advocates of a simple diet speak with moderation, and content themselves with urging such changes only as the good sense of the community will approve?

The author of this book doubtless means well, and so may all those who are laboring with him; but we confess that we are sorry to find them calling themselves reformers. They almost make a sensible man ashamed to enrol himself among the friends of reform, as the shapes and tricks of monkeys do sometimes make us ashamed of our humanity. It is well to be reformers; it is our duty to labor for the progress of our race; but we should do it with a becoming modesty, feeling that it is but dimly we can see the new good to be obtained, and but little that we can do to obtain it. It is an unpleasant sight to a wise man, that of one of our modern reformers astride the millionth part of an idea, cantering away as a tenth avatar, and fancying that he bears with him the universal palingenesia of man and nature.

In fact, are not our modern reformers carrying the joke a little too far? They are becoming, it strikes us, a real annoyance. The land is overspread with them, and matters have come to such a pass, that a peaceable man can hardly venture to eat or drink, to go to bed or to get up, to correct his children or kiss his wife, without obtaining the permission of some moral or other reform society. The individual is bound hand and foot, and delivered up to the sage doctors and sager doctresses, who have volunteered their services in the management of his affairs. He has nothing he can call his own, not even his will. There is left him no spot, no sanctum, into which some association committee cannot penetrate, and dictate to him what he may do or

what he ought to suffer. What is most intimate and sacred in his private relations, is laid before the public, and he is told that he ought to be thankful that there is no dearth of disinterested lecturers, ready in public discourses to explain to his wife all the mysteries of the conception and birth of a human being.

Now this in our judgment is to be philanthropic over much. It is making philanthropy altogether too great an annoyance. No real good can come to the community from sacrificing the individual. There are things which an individual ought to be allowed to call his own, and over which he shall have supreme control. Around each individual there should be traced a circle, within which no stranger should presume or be suffered to enter. It is no service to virtue to keep us all for ever in leading-strings. If we are to be men and to show forth the virtues of men, we must be permitted to think and act for ourselves. That philanthropy which proposes to do every thing for us, and which will permit us to do nothing of our own accord, may indeed keep us out of harm's way, but it is a left-handed philanthropy, and will be found always to diminish our virtues in the same proportion that it does our vices.

It must joy the heart of every benevolent man to see efforts made for the advancement of humanity. There is room enough for reform. But we do wish our modern reformers would enlarge their conceptions, and seek to add knowledge to their zeal. It is well to be zealously affected in a good cause; but zeal in a good cause, if not guided by just knowledge, may work as much evil as good. The world is not to be regenerated by the exertions of reformers who have but one idea, and who fancy that one idea embraces the universe. Life is a complex affair. The good and the evil it is subject to are so intermixed, and run one so into the other, that it is often no easy matter to say which is which. There is no one sovereign remedy for all the ills of life, no one rule which is applicable at all times to all cases for the production of good. Good and evil both have their source in human nature. The one cannot be greatly increased, or the other essentially diminished, but in proportion as human nature itself is more fully developed; but in proportion to its general culture and growth. The tree of evil is not destroyed by pruning away a branch here, and a branch there. So long as its root remains in the earth, so long will it live and flourish. All classes of reformers see

and deplore its growth. One class thinks all evils come from the breach of the seventh commandment, another class ascribes them all to the eating of flesh or fish, to the drinking of rum, wine, or cider; this class fancies the world would move on as it should if women were but allowed equal civil and political rights with men; that class is sure that all things will be restored to primitive innocence, love, and harmony, the moment negroes are declared to be no longer slaves; and this other class, when nations shall no longer appeal to arms to decide their disputes. Each of these classes of reformers mounts its hobby and rides away, ever damning all as children of the past, as wedded to old abuses, as the enemies of truth and virtue, who will not do the same. But not one or another of these classes shall succeed. All these classes of evils are mutually connected, and no one of them can be cured separately. The cause of them all lies deep in human nature, as now developed, and they must be regarded as inseparable from the present stage of human progress. The doctors who are vaunting their skill to cure them, are merely prescribing for the symptoms, not the disease. War is a melancholy thing. Philanthropy cannot but weep over its doings. But as long as the passions of the human heart remain as they are, and the interests of the world continue in their present complicated state, it is perfectly idle to talk of the cessation of war. Every thing manly in our nature rises indignant at the bare name of slavery; but should the negroes be declared free, and all other things remain as they were, slavery would not be abolished. One of its forms might be slightly changed, but its substance would continue the same. Give woman equal civil and political rights with man, and if her present tastes and culture remain, her influence will be just what it now is. Intemperance is not a mother evil. It is the symptom, not the disease. Temperance lectures will not cure it. It will remain in spite of temperance societies, in spite of law, in spite of religion, till the causes producing it are removed, and men are able to find an innocent source of the excitement they crave. Chastity may be commended, but it will not be universal till the whole community is so trained that it can find more pleasure in sentiment than in sense. The object of each class of reformers is, we are willing to admit, good, and praiseworthy; but it can in no case be insulated and gained as a separate object.

The work of reforming the world is a noble one. The

progress of man and society goes on. But it goes on slowly, much more so than comports with the desires of our one-idea reformers. These reformers, with one idea, are no doubt worth something. Each class of them may contribute something to aid on the work. But no one of them can do much, or run far ahead of the general average of the race. The evils of life rise as lofty mountains in our path. We cannot go over them, nor turn our course around them. They rise alike before all of our race, and form the same barrier to the onward march of all. We must remove them. If we take ourselves to the work with faith and energy, we can remove them. But we can do it only a little by little. One generation works its brief day at the task, and worn out gives way to another; another comes and removes its portion, and gives way to yet another. Thus do generations labor, and yet centuries elapse before we can perceive that they have made any impression on the mountain. Ever and anon a company may undermine a portion of rock and earth, which come down with thundering noise and raise much dust, and some of the spectators may fancy the work is done. But when the noise has subsided, and the wind has brushed away the dust and smoke, it is seen that many of their number have been crushed under the falling masses, and that fragments have rolled back and blocked up the path which had already been cleared. There may be something sad and depressing in this view. Life is full of deep pathos to the wise man. Sorrow springs from experience. He, who knew most of man and his trials, was said to be "a man of sorrows and acquainted with grief." Man's path from the cradle to his union with God, is not of smooth and easy ascent, strewed with flowers and shaded by groves from which the sweet songsters are ever warbling their wild notes. It is steep and rugged, and we ascend not without labor and difficulty. Yet is there no cause for complaint. Man has some strength; let him use it, and not murmur because he has also some weakness. Something he can do; let him do it, and complain not that there is something he cannot do. Each generation has its allotted work; let it take itself cheerfully to its performance. The race is immortal; and as one generation does its work and passes off to receive its reward, a new generation comes on to take up the work were its predecessor left it. The work shall then go on, and the race be ever achieving its destiny. What is it then, though this generation cannot do so much s to leave nothing to its successor?

We have no fellowship with the philosophy that teaches us to regard with indifference the efforts of a single individual, however puny, to advance the cause of humanity. True philosophy teaches us to find sufficient reason for whatever occurs, and to see good in every thing. We ought therefore never to condemn outright any class of reformers, or plan of reform, we may meet; but we cannot refrain from regarding most of the reformers who fill our age and country as extremely short-sighted, and their plans as most wofully defective. We would not make war upon them, nor in our sober moments treat them otherwise than with great tenderness; but we cannot bring ourselves to act with them. Whoever would pass for a man of correct feelings, and of some degree of philosophic wisdom, must see and deplore the ills that afflict himself and brethren; he must labor with all his might to cure them; but he will proceed always calmly, with chastened hopes, and with the conviction that the only way to cure many evils is to bear them. The lesson, To Bear, though difficult to learn, and one that many of us never do learn, is one of the lessons most essential to man in his earthly pilgrimage. Even these evils, of which we complain, may be made the ministers of our virtues and the means of our spiritual growth.

The human race makes its way through the centuries, step by step, to its destiny. The evils we now see and feel will be one day removed. But new evils we know not of will doubtless spring up, new mountains arise whose highest peaks are not yet seen in the distant horizon. The lessons of the reformer will be ever repeated, and his trials, labors, sufferings, martyrdom, ever renewed. Well, be it so. The brave spirit will not shrink from the prospect. Life is a struggle. Who would that it should not be? It is from this struggle that humanity derives her strength, obtains possession of her powers: in it she finds her life; in it she lives; by it she fulfils her destiny. Let us accept it as our heritage, and go forth with strong arms and stout hearts,—and yet not with over-sanguine expectations of wonders to be achieved,—to the work that lieth nearest us in time and space, and leave the result to Him in whose hands we and all things are, and with whom it rests to grant or withhold success.

OUR FUTURE POLICY.

[From the Boston Quarterly Review for January, 1841.]

Contrary to our wishes, but hardly contrary to our fears, we have now to record the signal success of the friends and supporters of William Henry Harrison. The Whigs are now in the ascendency in the Union, and in a majority of the states. With the fourth of March next, commences a Whig dynasty, to last at least four years. The people have so willed, and, whatever may be our individual convictions, hopes, or fears, we must submit.

Whether this result will be for the good of the country, or the evil, it is impossible as yet to decide. We have not desired it. We have had no fellowship with the Whig party, no sympathy with their methods of electioneering, and no confidence in their acknowledged principles. We have deprecated their success as a serious calamity, similar in its nature to the subjugation of a free and independent people by a foreign power, and likely to be not less disastrous in its consequences. We have honestly believed that the safety of our free institutions, the progress of liberty and social equality, demanded the reëlection of Mr. Van Buren, and the success of his friends in the Union and the states. But a majority of the people, wisely or unwisely, have decided differently, and though we cannot, as yet, honor their decision, we must respect it as the law of the land till it be reversed.

But however much we may fear of the worst, we owe it to ourselves to say, that we by no means despair of the republic. We are not among those, who have unbounded confidence in the actual virtue and intelligence of the people; and the recent elections have by no means tended to increase what little confidence we may have had; but we have great faith in the capacities of human nature, and we believe there is already enough of virtue and intelligence in our community, to arrest any dangerous tendency in the government, before it shall be to late. Moreover, we believe firmly in an overruling Providence; and the Providence which has selected this as the chosen land of freedom, thus far watched over and protected us, and prepared us

for the work assigned us in the progress of civilization, we cannot believe will abandon us before we have accomplished our mission. We confide with calmness in the God of our fathers, and trust that he will yet deliver us from the Philistines, and enable us to build the temple of freedom, which will abide the ravages of time, and within which shall one day meet in peace, to pay their vows, the whole family of disenthralled and regenerated man.

Moreover, in analyzing with some care the elections which have resulted in favor of General Harrison, we still find ground for hope. The people in these elections have not, in their own estimation, decided against freedom and equality; nay, they have not decided against the doctrines or measures of the Democratic party. They have not deserted, and we have as yet no reason to believe that they will desert, their ancient democratic faith. However it may have been with the Whig leaders and wire pullers, the great mass of the people whom they have carried away have not voted against the administration because they have condemned its measures. They have asked not for a change of measures, but of men. They have looked upon the present administration, in its administrative character, as low-minded and corrupt, as deficient in both capacity and integrity, and therefore as unfit to be entrusted with the management of public affairs. Here is the secret of the recent revolution, —a revolution which in the minds of the majority of the people extends only to men. The people we need not say have been deceived, wofully deceived; but the moment they become aware of the fact, they will lose no time in rectifying their mistake. If the men, they have now placed in power, undertake to carry out a policy essentially different from that which has been pursued for the last twelve years, they will hurl them from power at the earliest moment permitted by the forms of the constitution.

With this conviction, we cannot despair. We believe the present administration has been most grossly belied; but in its purely administrative character, we have no disposition to take up its defence. In this character, it has no extraordinary claims on the affection of the people. It is remarkable neither for its sagacity nor its purity. There are, we should hope, many other men in the country who can administer the government as well as they have done. Still in justice to Mr. Van Buren, we must say, that in the measures requiring legislative action, which he has recom-

mended or sustained, he has done well, been faithful to the constitution, and deserves, as he will one day receive, the gratitude of his country.

Mr. Van Buren has been defeated; but he is much dearer to the American people to-day than he was when elected president. He has failed in his reëlection, not because he has lost in popularity, but because he never was the choice of the American people. The people never willed his elevation to the presidential chair. He was elevated to that chair, not by his own popularity, but by the popularity of his predecessor, and by the management of party leaders. Since he became president, he has for the first time in his life gained a place in the affections of the American people, and he retires from the presidency, with an enviable popularity, and an honest fame which will endure.

We are, however, far from regarding Mr. Van Buren as entirely free from faults, and faults which in these times cannot be without results. He strikes us as deficient in boldness and enthusiasm. He has great coolness, is firm, and will die in the last ditch sooner than abandon his avowed principles; but his better qualities rarely manifest themselves till he is put upon his defence; and, though they may spread a glory around his grave and secure him a hero's fame, they generally come too late to retrieve the losses of his friends, or to change the fortunes of the day. His policy is to wait, to trust to time, to "the sober second thought of the people;" in other words to follow public opinion and events, not to lead them. His is not the bold master mind that seizes time by the forelock, that creates his own public, and bends it to his will. He may ride upon the storm, but he does not direct its course. Yet there is something almost sublime in the calmness, the composure, with which he suffers himself to be carried along, whither he apparently sees not. He is not deficient in mere intellect, and his political information is respectable. In ordinary times, when passion is asleep, and reason awake, he were not ill qualified to be the president of a free people. But in these revolutionary times, his qualities are not of the sort most in demand. He wants elevation, nobility of ideas, and warmth of heart. Sober reasoning, calm reflection, mere good sense are not now the sovereigns of the world. Men's passions are aroused, their feelings are excited, and they are moved by appeals to their sympathies rather than to their understandings. They see not clearly, but they feel in-

tensely; and they ask for a man to go before them who fears not the darkness, whose step falters not, and who can lend them a confidence not their own. Such a man Mr. Van Buren has not proved himself. One such man we had in Thomas Jefferson; another we had in Andrew Jackson; another—we shall find him in due time.

That the administration party has been defeated through its own faults, rather than through the frauds, falsehoods, and misrepresentations of the opposing party, of which there have been enough, and more than enough, for even Beelzebub's infinite satisfaction, we suppose it would not be difficult to show. But, what were the use in attempting to do it? It is a miserable disposition, that which delights to dwell on the blunders of friends, or which can bring itself to upbraid associates with the reverses which all must share in common. Defeat like the grave levels all distinctions, and hides all faults. If things had been different, they would have been different. This is the amount of all fault-finding with the past. But things were as they were, and the result is what it is, and there is the end of the matter, and no more need be said about it. It is not the temper of democracy to weep over past errors, or to turn round and scold her friends when she chances to meet a repulse. Her face is ever towards the future, which alone is hers; and she labors to recruit her forces, and to stand ready for whatever may come. She knows that though she may be checked in her onward march for a moment, she cannot be driven back; and that though she may sometimes fail to win, she never loses. If her leaders managed badly yesterday and failed, she trusts that they will acquire wisdom from their mismanagement, and become able to conquer to-morrow.

We regret, deeply regret, the ill success of the Democratic party; but we have no reproaches to cast on friend or foe. We are as ready to engage again with those with whom we fought side by side yesterday, as we should have been, had we entirely approved, as we did not, their arrangements. In this we are not alone. We express the feelings of the great body of those, who, as friends of the constitution and of equal rights, have struggled, with what skill and bravery were in them, to sustain the administration. We have been unsuccessful, but we have not lost our temper, nor are we disposed to run foul of one another. We have by a common fate become but the more endeared to each other. Personal animosities have subsided. The

Democracy will hereafter be disturbed by no intestine divisions, by no personal rivalries; but will present to the enemies of liberty and social progress, an unbroken front, a closely knit body, animated by one and the same soul, and directed by one and the same will. They are now indeed a band of brothers, sworn to stand by one another; and they will stand by one another in adversity, as they did not always in prosperity; and so long as one of them can stand, liberty shall not want a defender, nor social equality an advocate.

For the present the Democracy will wait the movements of the new dynasty. They will assume not the attitude of opposition, but of watchfulness. If the Whig policy shall prove to be democratic, they will not oppose it, but give it their cordial support. But if it be at war with that which has been pursued by the administration for the last twelve years, as there is but too much ground to fear that it will, then it must count on an opposition, not factious, but calm, determined, uncompromising, whether successful or unsuccessful. The Whig party has come into power by pretending to be democratic; it has come in, to a considerable extent, unpledged, and is therefore free to adopt the democratic policy if it chooses; we must then wait its movements, and hold ourselves free to sustain or oppose as it shall prove itself democratic or not.

During this period of waiting, we must not, however, be idle. We must avail ourselves of the comparative repose, with which we are favored, to fix the basis of our creed, to consolidate our policy, and to prepare ourselves to take the field again, if we must take it again, with a perfect understanding of the objects for which we are to contend, and with as entire agreement as may be, concerning the methods by which we must proceed, and by which we may hope to win.

Two parties there are in this country, and two parties there always will be;—a party in favor of property, whose leading object will be to facilitate the profitable investment of business capital, to make the government a mere instrument for facilitating trade; and a party in favor of man, whose leading object will be to secure to the workingman a greater share of the proceeds of his labor, and to elevate labor and make it honorable. These two parties have existed from the formation of the federal government, and they will not cease to exist under the new dynasty.

Whether the Whigs in their actual policy will ultimately prove themselves the first named party or the second, we shall not now attempt to determine. For our part, we shall always be found with the second, the party of the constitution, of equal rights, of the workingman, whatever may be the name by which it may be called, and whether it be in power or out of power.

This second named party is properly the party of the constitution, and of equal rights. It in reality comprises a large majority of the American population, and when it can be rallied, as it has not been effectually in the late contest, it is able to carry every thing before it. The great aim of the friends of liberty, of social progress, and the practical realization of the principles incorporated into our free institutions, should be to rally this party, to unite in one body all who sympathize with it. This party has heretofore failed, because vast numbers of those, who properly belong to it, have not come to its aid. False issues have been made, and elections have not turned on the real matters in dispute. Hence this party, the true democratic party of the country, has been divided, and friend has, unhappily, fought against friend, and natural and irreconcilable enemies have fought in the same ranks side by side. This has created no little confusion, and caused all the disasters the democracy has experienced. We must study to remedy this evil, to make up the *true* issue, and collect all the democrats of the country under the same banner, and keep them on one and the same side.

This can be done only by falling back on first principles. The democracy is never moved by mere words, by mere shadows. It is grave, solemn, earnest. It demands realities. It asks for the substance. It supports no party because it bears this or that name, no individuals because they are *called* democrats. A party to gain its suffrages must *be* democratic; and men must *be* democrats, or it will not confide in them, or follow their guidance. It asks only what is just, and that it does ask. It asks for an open, straight-forward, honest policy. It has a great dislike to all manœuvring, to all crooked paths, to all underhanded methods of proceeding. It would take its ground openly and manfully, in the broad light of day, and maintain it by fair means, or not at all. It has also a great horror of half-way measures, measures which excite all the opposition of whole measures, and yet effect nothing when

carried. The timid, trimming, compromising policy, so much insisted upon by fourth-rate politicians, finds no support in the instincts or the reason of the people. Democracy abhors it, and it can find supporters only among mere party leaders themselves. Democracy demands a bold policy; measures which amount to something; which reach far and wide; and which will accomplish something worth making an effort for. Who will go to war, risk ease, wealth, life itself, when even victory secures no advantage? The leaders of the Democratic party have erred on this point. They have talked finely, but they have done little else than talk. They have eulogized liberty, declaimed about equality, and spoken of the dignity of labor, but unhappily, they have kept too far in the abstract. They have proposed little that is tangible, palpable; and the people have felt that, if all which they propose were adopted, it would effect but a slight, a scarcely perceptible mitigation of the evils of our existing social state.

Some may say that our friends have failed to succeed even in the small measures they have proposed, and ask, how then could they have succeeded in greater measures? It is simply because their measures have been small, and capable of realizing only a trifling good, that they have failed. They have failed not because they have attempted too much, but because they have attempted too little. They have proposed nothing big enough to fill the heart of the people, to enlist its affections, kindle its enthusiasm, and call forth its energy. The giant will not rouse himself to crush a fly. If you really mean to be true to the great principles of freedom and equality, if you really mean to ameliorate society, elevate the laborer, and make every man really a man, free and independent; then you must say so, and show by the measures you propose that you mean so. Show that you are in earnest, that you are contending for something, and that you have the nerve to contend for it effectually, and then you will inspire confidence, touch the nobility of human nature, the magnanimity of the people, and carry the masses in one solid phalanx with you. You must have the souls of heroes, if you wish to take the place of heroes, or reap their success. Nay, if you ask for heroic deeds from the people, you must give them a cause able to kindle the heroic spirit. If you have no inborn heroism, if you have no power to grasp the great, the noble; no courage to propose the bold and the daring; then stand aside, with

your timid, half-way measures, bowing, and cringing, and praying to be admitted; stand aside and let men, who have the souls of men, the minds and the hearts of men, who fear nothing, who tremble, blench at nothing, save the mean, the wrong, the inefficient, let them take your places, and try their hand at conducting the democracy to victory.

The truth is, too many, who call themselves democrats, are democrats only in the abstract, only in pretty phrases, or high-sounding words, and flattering epithets. Propose any thing really democratic, any thing that is likely to result in making democracy something more than a splendid dream, and forthwith these sonorous democrats are frightened, they look pale, and begin to tremble for their own cushioned seats. Poor fellows! They are afraid they shall be *disgigged*, and thus lose their respectability. Such are not the men to lead on the democracy. Whoso loves father or mother, sister or brother, wife or children, nay, or his own life, more than democracy, is not worthy in these times to be her champion. Her cause can be promoted only by men who dare to live for her, or if need be to die for her; who can joy even in exile, in the dungeon, or on the cross, at the prospect of her success.

Men love the brave spirit, the heroic soul, and they fall down and worship him who risks all that is dear to him in their cause. Why are men so attracted by military glory? why has military prowess such power over the masses? Because men delight in war and bloodshed, in hewing and mangling the bodies of their brethren, in carrying widowhood to the wife, and childlessness to the mother? Nonsense. Men are not cruel. They delight not in scenes of carnage; they hear no music in the groans of the wounded and dying, the bereaved and the disconsolate. It is because they see courage, nobility, disinterestedness, a power in the warrior that raises him above himself, above all fear of danger, or death. It is because war reveals the brave, the heroic spirit. Here too is the reason why the people always prefer the military chieftain to the mere politician. They distrust the politician, because they believe him cool, calculating, crafty, selfish, cowardly, destitute of bravery and enthusiasm, as most politicians have been and are. The people care little for mere intellect. They have no faith in dry calculations, in the cool deductions of logic. Intellect to them is a god, only when it is accompanied by high moral qualities, nobleness of soul, generous emotion, warmth of affection, and a contempt of difficulties and dangers.

But, interposes one of our *prudent* politicians, You are all wrong. You ruin every thing by going too fast. You must not outrun public sentiment. Away with your public sentiment! Seize the right, the true, the beautiful, the good, hold them up in their native simplicity and loveliness, and know that public sentiment is sure to be with you. The "common people" will listen to you with open ears, eyes, and mouth. They will arm in your defence, declare you their king, and take the kingdom for you by storm. It is your want of confidence in the greatness and generosity of human nature, that ruins you; it is your fear that, if you trust the people with the truth, the whole truth, and nothing but the truth, they, like a herd of swine, will turn and rend you, that makes you powerless, mean, and insignificant. Out upon you! If you are democrats, dare trust the people, dare trust them with the truth, dare trust them with all that you believe necessary to their salvation. Ask not what they believe, what they will support. Be generous, be brave, be heroic, speak the truth and support the right, at the sacrifice of your lives if need be, and know that they then believe what you believe, and support what you support.

But, is there no danger of being rash, of attempting more than the people will bear? Miserable cowards, who boast that "discretion is the better part of valor,"

> "That he who fights and runs away,
> May live to fight another day;"

we advise *you* to attempt nothing at all. If you have not confidence enough in the people to trust them with much, be assured that they will not trust you with little. True prudence is what you would call rashness. True prudence is never made up of timidity and selfishness, but of lofty daring, and generous confidence.

This feeling that politicians have about the imprudence of attempting much, and the prudence of attempting little, arises from a mistaken notion of the true office of government. In nearly all ages and countries of the world, the office of government has been to impose burdens on the people, to force from the people a larger portion of their earnings, or to keep them quiet under an order of things from which the few alone profit. Hence the necessity of craft, of subtlety, secrecy, dissimulation on the part of the politician. It becomes necessary for him to proceed with

great caution, to seem to be what he is not, to pretend one thing and to do another. Now if this be the office of government, the politicians are right. If it be their object, by the aid of government to ride the people, it is prudent for them to beware and not attempt too much at once. If the object be to impose burdens on the people, then your half-way measures, we admit, are the safest, and the only safe measures. You must not lay on too heavy a load at once, lest the animal rear up and hit you a kick, or lest you break the poor fellow's back. But the real office of government is not to increase, but to lighten the load borne by the people. Your object should be to throw off the poor creature's burden, and to let him go free, and graze at will on the mountain or in the valley. If this *be* your object, as it should be, you must show the people that what you propose to throw off will really lighten their load, if you wish them to coöperate with you, or even to stand still while you proceed in your efforts. The people do not like to be mocked. They will not thank you for removing an ounce from their burdens, while you leave them bowed down under the weight of tons. In politics, as in all things else, the old maxim holds good, "nothing venture, nothing have."

In order then to rally the democracy, and unite them all in a firm resolution to recover their rights, and to take the direction of the social and political affairs of the country, we must adopt a bold policy, and propose bold measures. We must show that the measures we propose will do something more than merely assuage the pain of the social wound, without healing it. Palliatives will no longer answer our purpose. Mere expedients will be worse than useless. We must go to the bottom, and lay our foundation deep. We must build on ultimate, universal, and immutable right, and propose measures which will either destroy the social fabric entirely, or reconstruct it as it should be. We must be thorough; propose not what we think we can carry, but what we think we ought to carry; not what we in our wisdom may deem practicable, but what in the exercise of our better nature we deem just and desirable. We must not say, "such and such a thing is right, is desirable, but the people will not assent to it." Party leaders may not assent to it, but the people will. Why should what appears to your better nature as right and desirable, not appear the same to them? Have you a different nature from theirs? Propose, then, a bold and efficient policy; one

which, if carried out, will realize the ideal which the wise and good are struggling after.

It is not our province, nor is it any man's province, to say authoritatively what this policy must be; but it is our right and our duty, as it is the right and the duty of every man, to give our views of what it ought to be, and to use all the moral means in our power to determine what it shall be. We propose therefore in what follows to give to some extent our views in relation to the course which should be pursued, and the measures which should be adopted, by the friends of the constitution, and of equal rights. We shall speak of course for ourselves, but we shall also speak what we have good reasons to believe will be acceptable to the great body of the democracy. Our motive for speaking at this time is to contribute what we can to bring about a perfect agreement among all the believers in social progress, and to give to the social and political movement of our countrymen a salutary direction.

The first thing necessary to be determined is the end we are to seek. What is the end, which in our political movements we should have in view? Should we aim merely to keep things as they are? Should we be satisfied to go on as we have done for the last fifty years? Is it enough merely to maintain the forms of a free government, and to keep its administration in the hands of the Democratic party? Ought we not rather to aim at some advance? Should we not regard our free government in the light of a means to an end? Should we not feel that it is our duty to use our democratic forms of government as instruments in our hands for working out a moral and a social good? Governments, unless we have greatly erred, are worth nothing in themselves, are never to be supported for their own sake, as ends. They are valuable, they command our support, only as means, only for the use we can make of them. Can we make no better use of government than we have heretofore done? Can we not direct it to a higher end? Indeed is there not an end which we should always seek, towards which we should direct all governmental measures and action? What is this end?

We have answered this question more than once. We contend that the mission of this country is to emancipate the proletary, to ennoble labor, raise up the laboring classes, and make every man really free and independent. Under the material relation, we ask that every man become an in-

dependent proprietor, possessing enough of the goods of this world, to be able by his own moderate industry to provide for the wants of his body; and under the spiritual relation, that he be free to develop harmoniously all his faculties, and have access to the highest culture the community can furnish. We demand for every man wealth to start with in life sufficient, if he makes a proper use of it, for him to hold, so far as wealth gives distinction, an equal rank with any other man in the community. In a word we demand a state of society in which every man's rank shall be measured by his capacities, intelligence, and virtues, and where the intelligence and virtues shall be as nearly equal as the diversities of men's natural aptitudes will admit. There must not be a learned class and an unlearned, a cultivated class and an uncultivated, a refined class and a vulgar, a wealthy class and a poor. There shall not be one class owning all the funds, and another performing all the labor of production. There shall be no division of society into workingmen and idlers, employers and operatives. There shall be workingmen, but no proletaries; for we would have all men work each on his own capital, associated or not associated, on equal terms with his brother. This is the end we aim at; this is the mission of this country, and to this should all the measures of government directly or indirectly tend.

Now we are far from supposing that this end can or will be realized in a day. We see as clearly as any of our friends, that its realization is far distant in the future. Not indeed because the great mass of the people are not prepared for it; but because the leaders of parties are in no haste to reach it, and for the most part want courage to attempt it. But let this be as it may; the end we have designated we should keep ever in view, and the wisdom or unwisdom of every political or legislative measure should be tested by its tendency to carry us towards it, or to remove us from it. Government is of no value to us, except so far as we can use it for the realization of this end.

We say here, in order to prevent misconception, that we are far from regarding government as the only means in our power for realizing the end we have proposed. Our faith in government is not unbounded. Government has no wisdom beyond the wisdom of society, and it can in this country be nothing more than the agent of society for embodying, for executing its will. It is not government that

gives the law to society; but society that gives the law to government. Unquestionably our chief concern is with society, and our main endeavor should be to create a true public opinion, and that exaltation of the public sentiment which will carry society with resistless force towards the completion of its destiny. This is to be done by moral, religious, and intellectual influences. These influences are then of course more essential than governmental action. These determine the action of society, and the end towards which it shall act.

But still we are far from regarding government, as some one asserts, as "at best a necessary evil." We look upon man both as an individual and as a member of society; and his perfection requires both individual action and social. These are some things which he can do and must do alone by himself; there are others equally necessary to be done, which can be done and must be done by society only. Man must act collectively as well as individually. Now his collective action is the action of society, that is, government. If, then, we mean society shall do any thing, if we recognize in any shape the necessity of associated action, we must have government. We accept it then not only as necessary but as a great good. We would indeed leave a large space to the individual, but we would not leave him entirely alone. The *laissez-faire* doctrine, so much in vogue with a certain class of politicians, does not meet our approbation. Men require to be governed, and coercion of some sort is indispensable. They need to be combined into a whole, and directed towards a common end, which shall be for the common good of all, and the special good of each. Hence it is that we recognize, not absolute power, but a certain power in society to control the action of her members, and to force them into a qualified submission to her will. This power is founded in right, and constitutes the legitimate basis of government. We owe to society a certain obedience, and should be loyal to her whenever she steps not beyond her province.

We hold that society has the right to adopt such measures as are likely to be for the common good of all her members, and the special good of each, even against the will of individuals; nay, more, she is bound to adopt such measures at the earliest practicable moment, let the active opposition to her proceedings be what it may. If this were not so, no social progress could be made; the best and most salutary

reforms could be defeated by the obstinacy, the pride, the ignorance, the prejudice, or the interested views of some half-a-dozen individuals. The whole race might be compelled to linger on in intolerable wretchedness, because a few anti-social spirits should fancy their interest was promoted by it. This will not do. Throw indeed a bulwark of sanctity around the individual, determine what are the rights of the individual, suffer society never to encroach upon them: but while you take care not to sacrifice one to all, take care also not to sacrifice all to one. The rights of the individual are sacred, and so are the rights of society.

Government we regard as the agent of society, the instrument by means of which society works. Our duty as individuals is to use our best influences to induce society to use this instrument wisely, effectively, and for the accomplishment of the right end. The mission of government, taken as the executive agency of society, is not merely negative. It is more than to prevent one man or one nation from encroaching on the rights of another. Its duty is positive still more than it is negative. Its business is to protect, to guide, to control, and by combining the many into one body to effect a good, which must forever transcend the reach of mere individual effort.

It is often said that men are born equal, that all men are equal by nature. This, if it have reference to their rights, or if it mean that so far forth as they are men, partakers of a common nature, they are equal, we admit it; but in almost every other possible sense we deny it. Men, regarded as individuals, are by nature unequal. Some are healthy and others are sickly, some are strong and others are weak, some are cunning and others are simple, some have bold, comprehensive minds, others timid, feeble intellects, hardly capable of putting two ideas together. Now leave all these individuals free to act according to their natural capacities, and what must be the result? A state of gross inequality. All the advantages of society will be monopolized by the strong and cunning, who will not fail to throw all its burdens upon the weak and less gifted. But even admitting that government should prevent all encroachment upon the rights of these last, we should not be satisfied. The strong ought to bear the infirmities of the weak. Government should step in and maintain between all the members of society that equality, so far as it may be done, which does not exist among men by nature. Government is mainly necessary in consequence

of men's natural inequality, the perpetual tendency of which is to lead to gross social inequality, and its mission is to introduce and maintain an equality which does not exist by nature. Its mission is two-fold. On the one hand, its duty is to *protect* the rights of individuals, on the other, to *force* individuals to perform their duties towards one another. Government is unquestionably restricted to a limited sphere of action; but within that sphere we hold that it is imperative, and may, nay, is bound to enforce its commands.

We have dwelt the longer on this point, because just at present the legitimacy of all governments is questioned by a respectable class of reformers, who condemn all political action, and look upon him who hopes to accomplish any good by the agency of government, as either a very weak or a very base-minded man; and because too many of our leading democrats are in the habit of counting on only the negative agency of government. Give us, say these last, an open field and fair play, and individual skill and enterprise will do the rest. We think not. Society as well as the individual in the progress of civilization has a great work to perform, a positive as well as a negative work; and we shall find that society must often needs perform her work, as the indispensable condition of the individual's performing his.

Assuming then that society through government has a work to perform, a mission to fulfil, an end to seek, and that this end is what we have stated it to be; we must bear in mind that this work, in this country, is to be performed by the state governments, and not by the federal government. The federal government is neither a democratic nor an anti-democratic government, and was instituted for the purpose of carrying out neither the democratic nor the aristocratic principle. The constituents of that government are communities, not individuals, and it has no concern with the relations of individuals with one another. Its business is solely with free and independent, but associated communities, and its duties remain precisely the same, whether these communities be internally constituted according to the democratic principle, or the aristocratic. There are certain matters which concern all the states alike, such as their relations with foreigners, with the Indian tribes, and with one another, the general welfare and common defense of the whole. These matters and these only come within the province of the federal government.

The first business of the American statesman is always to

distinguish accurately between what he may attempt by the federal government, and what must be looked for from the state governments alone. Much mischief has already arisen from not having distinguished with sufficient care between the respective provinces of the two governments. Democracy and aristocracy have both attempted to carry out their respective principles by means of the federal government: and hence it is we talk of democracy and aristocracy in relation to that government, when these terms, properly speaking, have no connection with it, and can apply only to the state governments.

It is unquestionably for the interests of democracy that the federal government should be kept within its province; so far democracy may apply to a party in connection with it. It is also for the interest of the anti-democratic states, in which slavery is tolerated, to keep faithful to the constitution, for slavery rests on state legislation, and might be endangered if state rights were abandoned. These states have the same interest in regard to the federal govenment, that the democracy have, and will in general be found acting with them. They constitute the same party in relation to the general government; but not in relation to that government by any means a democratic party. It is a party made up of democrats and anti-democrats. It is properly a constitutional party, a state rights party, and so should it be callled.

As a party of the Union, we democrats of the North must support the federal constitution. We must raise the state rights flag, or we shall not be able to maintain an open field, for the carrying out of our democratic principles, which are to be carried out solely by the agency of the state governments. In regard to the Union, then, our policy is simple. It is to maintain the constitution, and resist all efforts of the federal government to enlarge, directly or indirectly, its powers at the expense of the states. As a party of the Union we must not call ourselves democrats or aristocrats, but strict constructionists, constitutionalists. In acting under this relation we may have often to act with those who do not sympathize with our democratic hopes and tendencies. No matter. Are they constitutionalists? Are they opposed to enlarging the powers of the federal government? Do they go for the independency of the states? Then we and they are, as a party of the Union, of the same party, although in the states themselves we may be of opposite par-

ties. It is not necessary that a man should be a democrat, or have any democratic sympathies, in order to be a constitutionalist.

The truth is, it is not the aristocracy of the country that has given to the federal government its dangerous direction, but the democracy, through the mistaken notion, that it was by that government it was to realize its hopes. The South which, though liberal and chivalrous, is by no means democratic, has been the main supporter of the constitution. The old Federal party of New England, during the administration of Jefferson and that of Madison, labored indefatigably to check the federal government, and to restrict it to as narrow a sphere as possible. Massachusetts during the war carried her state rights doctrines to the utmost verge of treason to the Union, and the Hartford Convention solemnly proclaimed very nearly the doctrine subsequently contended for by South Carolina. If we are not much mistaken, the policy, which has so enlarged the sphere of the federal government, was forced upon it by the leading democratic states. The worst feature of this policy is the tariff. But the tariff has been uniformly opposed by the southern states, and a majority of the delegation in congress from the New England states. No tariff has ever received a majority of the votes of New England, and none, not even the new tariff act, commonly called the compromise act, of 1832, has ever received a majority of the votes of the southern delegation. The tariff policy has been from the first sustained by the middle and western states, which have always gone for it by large majorities. The middle and western states we may certainly call the democratic states of the Union. The southern states are not democratic, for they tolerate slavery, and New-England we believe has been the principal defender of the anti-democratic doctrines of the old Federal party.

The Federalists, no doubt, wished for a consolidated republic, some few of them perhaps for a consolidated monarchy. But the South, in consequence of her peculiar domestic institutions, contended for state rights; for she saw at once, that if all the states should be subjected to the supremacy of a central government, her peculiar institutions would be obliged to give way before the strong anti-slavery feeling of the middle and eastern states. The small states, too, which by no means wished to be swallowed up in the large ones, being equally represented with the large

states in the convention, were able to resist effectually the centralizationists, and to preserve to the states their sovereignty. The Federalists were defeated. They attempted under Washington, and especially under the elder Adams, to obtain by construction and administrative measures what had been denied them in the convention. But after the election of Mr. Jefferson, and especially his reëlection, the policy of the New England Federalists, to say the least, was almost wholly changed. They turned themselves to the state governments, and sought to lessen the importance of the federal government. This was the policy of Otis and his associates. From the reëlection of Mr. Jefferson to the election of John Quincy Adams, we may say to the election of Andrew Jackson, the consolidation party were not the Federalists, but the Republicans. The middle and western states had the preponderating influence, and the policy of New York and Pennsylvania has been almost from the first that of the general government.

From this we infer that it by no means follows that because a man is a democrat he is not a consolidationist, or that because he is an aristocrat, he cannot be a constitutionalist. The larger states will always have a leaning towards consolidation; and when we look at the great states of the West, and see the rapidity with which they become filled with an active and energetic population, the prospects of the constitutionalists do not appear the brightest. The natural tendencies of all these states will be to consolidation, because being the most powerful, they fancy that they will be able to wield the federal government in their own favor.

One thing is now certain, that the increase of the powers of the federal government is unfavorable to the growth of democracy. The action of that government, the moment it steps beyond its constitutional limits, is to favor business at the expense of labor, and to benefit the capitalist instead of the operative. Hence, it follows that every democrat *ought* to be a constitutionalist. The elements, which go naturally to form the constitutional party, are then, first, the small states, which in a consolidated government would become insignificant; second, the slave-holding states, which have no security for their peculiar institutions but in upholding state sovereignty; and third, the democracy, the real friends of equal rights.

Hitherto the democracy of the middle and western states have not been constitutionalists, from the mistaken notion

that it was through the federal government, and not the state governments, that they were to carry out their principles. They must now look and see that the more they strengthen that government, as it can act on them only through its measures touching trade, and the currency, through its general financial operations, the more power they will throw into the hands of the capitalists and business men of the country, and consequently the greater the burdens they will impose upon the laborer. If our friends in those states will hold up this view, if they will present this consideration as they may, there is some hope that even in them they will be able to rally the democracy around the standard of the constitution.

The smaller states must also be made to see that it is for their interest to resist the tendency to consolidation, that their political existence depends on their supporting the constitution. This is by no means difficult to show, and consequently it will not be difficult to rally them under the flag of state rights. The slave-holding states have, from the nature of their state institutions, a strong interest in adhering to the constitution. If they do, we are safe, touching the Union.

We call then for a constitutional party, which shall be composed of the smaller states, the slave-holding states, and of the real democracy of the country, and by democracy we now mean the real friends of equal rights and social progress. If these all unite, as they may, on the broad platform of the constitution, they will constitute a majority in the Union, and will be able to resist effectually the tendency to consolidation. But without the strictest union, touching all questions coming under the cognizance of the general government, of these three elements, the consolidationists will carry the day, and the consequences will be most disastrous to the whole country, and fatal to the cause of liberty.

As a party of the Union, we call upon the three elements we have enumerated to unite on the ground of the constitution, and under the flag of state rights. To the South we say, in the name of the northern democracy, unite with us, to prevent the northern capitalists and business men of the middle and western states from encroaching on the constitution, and we will resist all efforts of the abolitionists to reach the question of slavery through the action of the federal government. Slavery we cannot advocate, for we can

see no affinity between slavery and democracy. We shall undoubtedly speak out unquestioned, and unobstructed, in favor of universal freedom to universal man. But if you will be faithful to the constitution, we also will be faithful to it, and adopt no methods, countenance no methods, of interfering with slavery in your dominions, which we might not legally adopt in regard to it in the dominions of England or France. On this ground, and on these conditions, we meet you. But if you desert us, if you side with the business population of the other sections of the country, and aid them in establishing a national bank, in laying a protective tariff, and assuming directly or indirectly the state debts, all of which measures are unauthorized by the constitution, you may rest assured that the democracy in one solid phalanx will go against your institutions. If no constitutional barriers will hold you back, none will hold them back. They feel sore towards you now. They have defended you firmly, sacrificed much for the constitution in which you had as much at stake as they; but they feel that you have been neither true to them nor to yourselves. This is a dangerous feeling for them to indulge, and unless you go *en masse* for the constitution, you must not be surprised if they go *en masse* against slavery. We, for ourselves, shall recommend no such method of retaliation; nay, we shall do all in our power to prevent it. But we know enough of human nature, to know that no power on earth could succeed in preventing it. You must not think that we defend slavery on principle, that we love the institution. There is not a democrat North of Mason and Dixon's line, that does not loathe it, and believe it a crime against humanity. We refrain from meddling with it, simply because it is a matter which concerns states of which we are not citizens, because we can reach it by no constitutional action, and because we believe liberty is more interested at present in preserving the constitution, in maintaining state rights, than in attempting the doubtful good of emancipating the slave, without making any provision for him after his fetters have been knocked off. But when the constitution is once broken down, when it has become a dead letter, and the federal government has become through the triumph of the money power a consolidated government, the paramount and only efficient government of the country, what then is to hold us back? What then will avail the exhortations, the expostulations of men who have all their lives long been preaching up equal rights?

The consolidationists will aim at three measures. They will seek to establish a national bank, to impose a protective tariff, and to assume the state debts, by distributing the proceeds of the public lands, as they will term it, but the surplus revenue, as we term it, among the states. In other words they will raise by high taxes a surplus revenue, which surplus they will distribute among the states to enable the states to pay their debts, or at least sustain their credit. Here is their policy.

Now this policy the friends of the constitution must resist. Whether the Whig party will attempt these measures, as a party, or not, we pretend not to determine. But that they will be attempted by a large and powerful party, we hold to be beyond a doubt. These measures are all unconstitutional. They must then be resisted, firmly, successfully resisted, or the Union is destroyed. Look to it then, the South, look to it then, small states of the Union, look to it, democrats, that ye be not any of you seduced into their support.

We have stated what must be the principal elements of the constitutionalists. We now say that in the present crisis their main efforts must be directed to defeating these three measures. This is our principal work. We must maintain the independent treasury, we must support free trade, afford no countenance to a national bank, suffer the federal government to form no connection directly or indirectly with the paper money system, keep down the revenues to the wants of the government, and leave the states to redeem their own bonds.

This, for the present, must be the policy of the friends of the constitution. And to this must be added, as soon as may be, two other measures of a less negative character; one a disposition of the public lands, according to some plan similar to the one recommended by Mr. Calhoun; the other a change in the mode of taxation, from the present system of indirect taxation to that of direct taxation. These two measures are loudly called for, and will be found absolutely necessary, if we mean to maintain a federative government, and public morality. They are measures of some import, and they will be found to reach far. We shall avail ourselves of an early opportunity to discuss them at length; at present we can only indicate them, and give it as our opinion, that they must make up an integral part of the policy of that party which shall rally round the flag of the Union,

and seek to preserve the constitution in its purity and force.

Will the constitutionalists, by adopting the policy here indicated, be able to succeed? Will they command a majority throughout the Union? We know not, ask not. By adopting this policy and contending for it in an open, manly manner, with earnestness and solemn intent, they will deserve success; they will be on the side of justice, in the right; and it is better to be defeated with the right than to triumph with the wrong. We should rarely trouble ourselves with the question of success; if we can only be sure that we have found out the right, and done our best to sustain it, we may leave results with a calm confidence to Him to whom they belong.

We, however, readily admit that success will not be obtained without an effort. Apparently the consolidationists, the representatives of the money power, have now possession of the government; and we do not fancy that they will be dislodged without a long and severe struggle. As yet, history, so far as we are acquainted, presents no instance of a political contest, in which man has remained the victor over property. Sometimes commercial capital has triumphed over landed capital, plebeian wealth over patrician wealth; but simple naked humanity over wealth itself, never. If we succeed now it will be the first time in the history of civilization. Nevertheless, we are not without hope. We believe that the interests of our country are so diverse, that man in this contest will not be utterly naked; but that the influence of a considerable portion of the capital of the country may be, after all, on his side. That we must struggle hard, is no objection. In these dull times, it is well to have something to struggle for; otherwise we should remain children always, and never know the virtue there is in manhood. A cause is not desperate because it cannot be won without difficulty, without effort, without sacrifice. Human nature loves the effort, pants for the struggle, as the hart for the water brooks, and joys in the sacrifice. It asks always for an occasion to display its power to do, to dare, to suffer, to prove that its old heroic energy is not exhausted. We have great faith in the heroism of human nature, little in its selfishness. The victory which demands sacrifice is easier won, than that to which interest alone prompts. Take your stand openly and truly on the side of God, Truth, Justice, Man, and you carry all hearts with you; and the greater the

opposition you have to encounter, the more enthusiasm shall you enlist in your favor. Heaven is stronger than hell, and God is a better captain than the devil.

Thus far we have spoken of the policy to be pursued by the friends of the federal constitution, the policy necessary to preserve the federative character of the Union, the independency of the states, and an open field for the friends of equal rights to adopt within their respective states such measures as they shall judge most likely to emancipate the proletary, ennoble labor, and realize equality in our social relations as well as in our political relations. We turn now to the states, to the policy which should be adopted by the true friends of democracy.

The democratic party, in its character of a *democratic* party, can properly in this country be only a state party, a party restricted in its operations to a single state. Doubtless the action of the democracy of one state will have no litttle influence on that of another, and in general the policy which the democracy may adopt in one state is that which ought to be adopted in all the states; but we in Massachusetts, for instance, can have no direct action on the policy pursued by other states, any more than on the policy pursued by foreign nations. Under the relation we are now considering them, they are foreign nations to one another, free, sovereign, independent states, in no sense responsible one to another. We may demand of all the states that they adhere to the constitution, and adopt through the federal government the policy we have decided to be constitutional; for in this sense they are a single body politic; but we can demand only of the citizens of our own state a democratic policy. In the bosom of our own state, we may urge the most radical democracy, and as democrats we are guilty, if we do not; but we cannot urge it anywhere else. As democrats then we have nothing to do with the internal policy of other states, nor are we accountable for the state policy pursued in other states by those with whom we act on questions of general policy. We know them only as a federal party, not as a state party.

We are particular in marking this distinction between a federal party and a state party, between constitutionalists and democrats, because it is generally overlooked, and because the consequences of overlooking it are none of the best. At present the states are regarded by the great body of the people as mere departments, or prefectures, of one

grand consolidated republic. Few comparatively look upon the federal government and the state governments as coördinate governments. The federal government is supreme. Federal politics absorb every thing; and so little is the true nature of the Union understood, that we presume not a few of our readers will fancy that, when we speak of federal politics, we are talking of the views and dogmas of the old Federal party, represented by its great leader Alexander Hamilton. Rarely will it occur to them that with us a man may be, nay should be, both a Federalist and a Democrat, —a Federalist touching the Union, a Democrat touching the states. But let this pass. The state counts for nothing in our political contests. In the bosom of the states themselves, of the towns and parishes even, federal politics decide every thing. A man's fitness to be a parish priest, a selectman, a pathmaster, is determined among us mainly by his views of federal politics. Rarely does the election of a state, county, or town officer, in the northern or middle states, turn on local politics. Politicians calculate the votes of a state for president by its votes for town officers, supervisors, school-committee men, and constables.

Nor is this all. We urge sometimes the good citizens of our state to vote for a certain candidate for president of the United States, because we are in favor of administering the government of the state economically, or because we are or are not in favor of a certain railroad or bridge, or of a certain police regulation. And then we urge the same citizen to vote for our candidates for state officers, because they are in favor of our presidential candidate, or of our views of federal policy. Admirable logic! Then again, we hold the members of a given federal party in one state responsible for the measures pursued by members of the same party in other states in regard to the action of their state government. We are not allowed to be democratic in one state, because those who agree with us in another state, on general politics, are anti-democratic in the bosom of their own state. The consequences of this are bad.

The administration party for instance, as a federal party, has been in the main constitutional. Its measures have been just and proper; and it has deserved the support of all the friends of the constitution. But in the bosom of the states themselves in regard to state legislation, it has been as anti-democratic as the Whigs themselves; and, perhaps, to this fact, more than to any other, should be attributed its late

disastrous defeat. It has called the Whigs the bank party, and urged us to oppose them on that ground; but has it, on the other hand, been an anti-bank party? It has condemned the Whigs, for advocating paper money, but has it ever opposed paper money? It has opposed a United States bank; but on the broad ground of opposition to a paper currency? Has it not contended for state banks as strenuously, if not as openly, as have the Whigs? What, then, has availed its opposition to a national bank? Aside from certain constitutional and political reasons, what arguments can you bring against a national bank, that do not bear with equal force against state banks? Nay, once admit the policy of a paper circulation, and it is questionable whether you are not unwise in opposing a national bank. If the states are to be suffered to issue, either directly or indirectly, through institutions of their own creating, a paper currency like the one we now have, it may be contended with justice, that a national bank is needed; nay, all but indispensable. Nothing can be worse than as many different currencies as there are states and as many different currencies there will be, if the currency be left to state legislation. A principal reason for desiring a union of the states was, that we might have a currency which should not vary with each state, but be of uniform value throughout all the states. The people, in order to secure this end, placed the whole subject of the currency under the control of the federal government. If we have decided that our currency shall be paper, assuredly it should come under the control of the federal government. The interests of trade, nay, of industry, of labor, imperiously demand that the currency of Massachusetts and of Mississippi should be of the same value. Does anybody believe this can be the case, so long as our currency is paper, and this paper is issued by state institutions, and subject to the action of the state legislatures? It may be truly asserted, that a national bank cannot, under any circumstances, do much to remedy the evil; but there is no question but it can, to some degree, mitigate it. Its own notes will pass current, at the same value, throughout the Union, and thus afford a medium of exchange between the remote sections.

Now the administration party has opposed the United States bank, without opposing paper money; it has sustained the paper money policy, while it has opposed the only measure which can possibly render that policy in any degree

tolerable. This has been its error. If you have a paper currency, you are bound to place it under the control of the federal government, by subjecting it to the direct or indirect action of that government. But the administration party has said, no, we will retain a paper currency, but we will leave it to the states to furnish it. Where, then, is the sound and uniform currency for the furnishing of which the federal government was created? Assuming that a paper currency is to be the currency of the country, Mr. Webster's arguments on this point are unanswerable, and have been so considered by a majority of the people of the United States.

The administration party in all the states, unless we except Massachusetts, has been as decidedly in favor of paper money as the Whig party. There is nothing against it in any of the messages of Andrew Jackson or Martin Van Buren; Senators Buchanan, Grundy, and King have taken unwearied pains to show that they are in favor of state banks, and what they call a mixed currency. Mr. Benton, the great antagonist of *the* Bank, has never said a syllable, as we can find, against paper money. The only opposition we have seen to the policy, in either branch of congress, has come from Mr. Calhoun and some of his state rights friends.

Leaving congress and coming into the states, we find the administration party, as a state party, nowhere opposing paper money. In Pennsylvania, the governor, a friend of the administration, is also a friend of the banks; and the legislature which chartered the United States Bank of Pennsylvania, contained a majority of members friendly to Mr. Van Buren; in Ohio, the governor, elected by the administration party, in his message to the legislature last winter, sustained, on principle, at great length, and not without ability, the policy of paper money. Michigan has been all but ruined by banks, created while it was an administration state; Mississippi and Alabama have fared not much better, to say nothing of Illinois and Louisiana. The banking system of New York is a creation of the same party, and the whole influence of the New York banks was brought to bear against a national bank, and in favor of General Jackson and Mr. Van Buren, till the explosion of the deposit system. In our own state, no man could maintain, prior to 1837, his standing in the administration party, if he were known to be opposed to paper money, and in favor of an exclusively metallic currency. We had our democratic

banks, and the leading men of the party seem to hold that banks were good things, providing they were managed by members of the Democratic party. In fact, in no state in the Union, has the administration party assumed the character of an anti-paper-money party. Individuals there may have been, who, *sub rosa*, would tell you that they were inclined to the belief, that we must return to a metallic currency, but the opposition to paper money has been purely an individual, and not a party opposition.

Several other matters, which have been made objections to the Whigs, have also been encouraged by the administration party. This party has favored state loans, and aided in contracting those ruinous state debts, of which it now complains so much. The administration states have plunged as deeply into debt, to say the least, as the Whig states. Witness New York, Pennsylvania, Mississippi, Alabama, Illinois. Massachusetts, a thorough-going Whig state, has by no means been so rash; and furthermore, the policy of lending the credit of this commonwealth to corporations has not been a purely Whig measure. It has been sustained by some of our most influential administration men.

Now, as the confusion of state and federal politics has made the party, as a federal party, responsible for its action, as a state party, these facts have given it the appearance of gross inconsistency. As a state party, it has had nothing to distinguish it from the Whig party, unless it be professing more and aiming at less. As a federal party, it has been tried not by the constitution, but by its character as a state party. Its federal policy, it has been seen, retaining its state policy, would be ruinous to trade, to business, and no advantage to labor. It, therefore, has had nothing to recommend it, and the people have decided against it. The people have not decided in favor of paper money, but simply, that, *if we have paper money, it shall not be left to the contradictory policy of state legislatures, but be under the control of the federal government.* The federal policy and the state policy of the party have not been harmonious, but parts of opposite systems. This has lost the party. The people are excellent logicians, great advocates for consistency, and require you always to be systematic, in whatever you propose. You cannot make them support one system in relation to one subject, and another system in relation to another subject. They demand bank or no bank; a paper currency of the best character the country can fur-

nish, or a metallic currency. They will not lean toward a metallic currency for the purpose of overthrowing a national bank, and toward a paper currency for the purpose of sustaining state banks. They cannot understand why the arguments which bear in favor of or against the one, do not bear equally in favor of or against the other.

The difficulty we have here pointed out can be removed under our complex system of government, only by dissevering, as much as may be, the connection which has heretofore existed between the politics of the state, and the politics of the Union, and by making a man's views on federal politics no criterion of his merits on questions of state politics. The doctrine of state rights will hardly be maintained till we have done this. The tendency to consolidation, most to be feared, is not in the action of the federal government, but in the conduct and sentiments of parties.

Keeping in view the distinction we have designated, we may speak on state policy, without committing in the least the friends of the constitution in other states, whose views are different from our own. We hold them not responsible for the policy we advocate for our own state, and they must not hold us responsible for the policy they may choose to advocate. In the bosom of the several states, we are citizens of independent nations, in no sense accountable to one another.

In coming into the individual state, we can be at no loss to discover the policy marked out for the democracy. The first question claiming our attention is undoubtedly that of the currency. This in itself is a miserable question, and one likes not to meddle with it; and yet its solution must be sought. If wise men neglect it, it will fall into the hands of fools, who will make bad work with it. We cannot blink it out of sight; we must meet it, and dispose of it. What disposition shall we make of it?

In the first place we assume it as a settled point, that the control of the currency, so far as it falls under the action of government, is conceded by the states to the Union. The people of the United States wished, by the Union, to create for the citizens of all the states the same facilities of trade and business intercourse with one another, which they would have had, if they had all been citizens of one and the same state. They had also experienced great difficulties from the different policies pursued by the several states with

regard to the currency. The states, each according to its own caprice, made what it pleased a legal tender for the payment of debts, and emitted its bills of credit almost without limit. The currency therefore was constantly fluctuating, and varied in value as you passed from one state to another. The consequences of this on trade need not be told. The debts due from the citizens of one state to those of another, were of uncertain value; and when collected must be collected in a currency from which little or nothing could be realized, that the creditor could use in his own state, or at any point out of the state to which the debtor belonged.

The evils thus experienced the states sought to remedy, first, by surrendering the control of the currency to the federal government. By this they hoped to secure the same currency for all the states, a currency of the same value in every section of the Union. Secondly, to avoid the ruinous fluctuations of the currency, and to prevent the states from substituting any other currency than that of the Union, the states gave to the federal government no power to establish any other currency than that of gold and silver, and denied to themselves the right to create another, or to make any thing else, a legal tender for the payment of debts.

From these facts we infer, first, that under our present constitution, the subject of the currency is surrendered entirely to the federal government; and second, that the federal government has no right to establish any other than a hard money currency.

Now, under our present banking system, we have virtually, if not literally, a paper currency; and this currency is furnished by the states, and not by the general government; and it is not only subject to ruinous fluctuations, but is of very unequal values, the currency of one section of the Union being at times five, ten, fifteen, even twenty per cent better than that of another. Under the state bank system, we have then a reproduction of the precise evils, against which the framers of the constitution intended to guard. The introduction of another than a hard money currency is permitted, and the duty of furnishing the currency is resumed by the states.

In this case, of two things one; either the federal government must assume the control of these state banks, and regulate their issues by means of a grand bank of its own, or in some other way; or these banks must be given up.

Given a paper money currency as the policy of the country, we agree with Mr. Webster, that it should either be furnished, or, what is the same thing, regulated by the federal government. But under the constitution the federal government has no power to authorize, or to recognize in any way or shape any thing like a paper currency. The only currency known to it is that of gold and silver. A national bank, or the furnishing of a paper currency by the federal government is then out of the question if we mean to retain the constitution. Besides, the establishment of a national bank would consolidate the money power, and give to the federal government a power it was never intended to have, a power which would make it the only efficient government of the country, enable it to swallow up the states, and with them the liberties of the individual citizen. A paper currency furnished by the federal government, then, must not be thought of. But the states have no right to furnish a currency at all. They have surrendered that right. Then they have no right to create banks with the power to furnish it. Then the state banks, so far as they are banks of issue, are really, if not technically, unconstitutional, and therefore should cease to exist.

There is then no course for the democracy to take, but either to consent to a national bank, or to abandon state banks. The first they will not do, and ought not to do. Then they must do the latter. Then they must take their stand openly, decidedly, and at once, against the state banks, so far as they are authorized to issue their notes as a circulation. In other words, the democracy must take its stand against paper money, and against all institutions created for furnishing it. They must go for an exclusively metallic currency. Have they the nerve for this? The people have; but whether politicians have or have not, remains to be seen. But if they have not, they may as well surrender at once to the enemies of the democracy, and no longer keep up even a show of opposition.

Men on 'Change will no doubt smile at our simplicity in demanding a purely metallic currency, and tell us such a currency is impracticable, and undesirable; but in return we can assure them that we rarely go on 'Change to learn either democracy or political economy. The men who congregate there, are not usually the men whom God calls to enlighten the nations. They may understand the routine of business, but of the principles which lie at the bottom of their prac-

tice, their bearing on public morals and public prosperity, they know in general nothing. They are so busy in gathering up the acorns lying on the ground that they have no time to cast their eyes up to the branches from which they have fallen, much less to investigate the laws by which they have been produced. If they were wise enough to afford valuable instructions on the currency, they were not foolish enough to encourage the growth of the system they now contend for.

We may be told that there is not gold and silver enough in the world to do the business with, that is now done. Very well; then do less business, and, perhaps, the world will be no worse off. But this pretence is shallow, and not worth refuting. The real objection is not what our business men allege. The difficulty is not that there is too little gold and silver in the world, but too little in their pockets. Increase the amount in the world a thousand fold, and their embarrassments would remain undiminished. Nor is this all. The use of paper does by no means supply the place of a metallic medium. The furnishing of paper money is a mere business transaction, requiring in the last analysis and absorbing in fact as much gold and silver as any other kind of business to an equal amount. The paper currency is not ultimate, and ends no transaction. It serves merely to defer the time of settlement; but it can pay no balances. The payment of balances, for which alone money is needed in the transaction of business, must be paid, if paid at all, in gold and silver, in like manner as if no paper had been used; with this difference only, that these balances are rated according to the paper standard, and consequently require a larger amount of gold and silver to extinguish them, than would have been requisite, had gold and silver constituted the currency.

The difficulty, which our business men seek to obviate by paper money, is by no means a recondite one. They wish to buy and sell, and amass by the operation a fortune. But they have no money, with which to make their purchases, and no property which they can exchange for money. They have simply the faculty of buying and selling. They would buy and ship to England a cargo of cotton, and not pay the planter for it till it is sold in England and the returns realized. The merchant's means of payment must be obtained by the sale of the cotton purchased. What he wants, then, is credit. This credit, for various reasons, the planter will

not give him. His simple course, then, is, to go to the capitalist, or to the bank, and borrow the means of paying the planter. It is well for him to obtain this loan, and no harm to the community. Credits to this extent are needed, and must be had, unless we would leave the whole business transactions of the world to a few moneyed men, a thing by no means desirable.

Banks are unquestionably, in this view of the case, necessary, and worthy of encouragement. If the business man can obtain the loan he asks for, it is an advantage to business, and to labor, for labor in certain respects has interests in common with business. A ready market for the products of labor is of as much importance to the laborer, as to the trader. In order to command this market, for the products of labor of any one country, it is necessary to open to them the markets of the world. And to do this requires an energy, an enterprise on the part of business men, which can rarely be looked for, except in young men, who have their fortunes to make. Facilities to these should unquestionably be extended, and for this banks, private or public, are necessary.

The democracy, then, should not object to credit, nor to banks. We are willing the merchant should obtain a loan, and purchase his cargo of cotton, and not cancel his loan till the sale of the cotton has furnished him the means. All this can be assented to without difficulty. We would assign no limits to the credit he or others may obtain, but the means of those who grant it. So long as a bank loans only its actual capital, or real capital in its possession, we utter no complaint. Because then the planter is actually paid for his cotton, and the losses, if any, fall on the speculator and the bank, where they ought to fall. But by means of paper money, that is, by allowing the bank to loan its notes instead of loaning real money, the bank is enabled to furnish credits beyond its means of redemption. It ceases, the moment its notes exceed its actual amount of gold and silver on hand, to be a money-lender, and becomes a money-borrower, and dependent on the success of its debtors in their speculations, for the means to pay its creditors. If these speculations miscarry, the bank miscarries, and the actual loss falls, not on the speculator, for he had nothing to lose, nor on the bank, for it never furnished any real capital, but on the producer, who had exchanged his products for the notes of the bank. This is the feature in our banking system which should be stricken out.

We have instanced the case of the speculator in cotton, who, wishing to speculate in that article, can only do it on credit. Now, it may be that this speculator can obtain no credit at the bank, or it may be, that the advance on the price paid for his cotton, at which he can sell it, will not be sufficient to furnish him a living profit, and at the same time pay the interest on his loan at the bank. What now shall be done? He, and four or five more in the same situation, but engaged in different business transactions, come together, petition the legislature, obtain a charter for a bank, with a privilege of issuing their notes to as great an amount, practically, as they can keep out. They pay in the capital of the bank in stock notes, and now substituting their notes as a bank for their notes as individuals, purchase cotton and other products on their own credit. In this case they unite in themselves the character of speculators, borrowers, and lenders. They are their own bankers. The planter takes the notes of their bank for his cotton, which he sells to them as individuals, and the farmer for his wheat. But if they fail in their operations, as speculators, then they must fail as debtors of the bank, and then fail as the bank or debtors of the public, and what then have the planter and farmer received for their wheat and cotton?

But one knot of four or five individuals have obtained a bank, and by its means are commanding the products of industry with the same ease they would, had they been men of real capital. Other individuals, seeing this, say, why not we have a bank also? So these other individuals petition, and obtain a bank, and go through the same process. Another set of individuals do the same, till your whole state is covered over with banks, and the land deluged with bank notes. During this time the rage for speculation goes ever increasing; fortunes are made in a day; men who were poor clerks yesterday are millionaires to-day; slow but gradual gains are despised; honest industry is contemned, and all the world rushes into trade. But this cannot last. Balances must be paid, and paid in gold and silver; but gold and silver for this there is not enough to be come at. The few individuals, who, during the fever of speculation had taken good care not to have many outstanding balances to settle off, come out with a princely fortune, while the great mass of the active business men find themselves where they began; and the planters and farmers find that they have nothing to show for the products they have parted with.

This is the inevitable result of a system of paper money, and this is a result no honest man can desire. This is carrying the credit system to a ruinous extent, and making that, which, within its natural limits, is a great good, one of the greatest of evils. Credit to this extent is not needed, and should not be furnished. We must, then, abolish the paper money system, and compel the banks to limit their loans to their actual resources. The evil of banking begins the moment the bank becomes a borrower from the public at large, and this it does the moment it issues its notes beyond the actual amount of gold and silver in its possession. Beyond that amount its loans are loans of its credit, not of its money. Now we are willing that credits should be obtained by the business men to the full extent of the actual means of those who furnish them. This is the natural limit to the credit system, and beyond which it can never be safe. When extended beyond this limit, the business of the country is unnaturally stimulated, and rendered unhealthy; its frame becomes bloated, and sudden dissolution is always to be apprehended.

We come, then, to this conclusion; the democracy need not oppose banking, but it should oppose paper money; it need not oppose credit, without which all business must come to a stand-still, but it should oppose all artificial means for extending credits beyond the ability of those who furnish them to redeem them in gold and silver. We make no objections to banks of deposit, of exchange, transfer of credits, and of discount; we simply ask that all discounts be made in the legal currency of the country.

This, if it were but the existing order, we shall be told, would unquestionably be far preferable to our present state of things. But, then, it is useless to contend for it. So large a proportion of the people are in debt, that they will never submit to the sacrifice necessary for introducing it. This may be so. Yet the losses to the debtor class of the community, we do not believe, would be greater than they have been for the last few years. Then, again, can we not arrive at a tolerably exact estimate of the per cent, at which this change would appreciate the currency? Why not, then, require the creditor, in the case of all debts contracted prior to the change, and estimated in a depreciated paper currency, to deduct this per cent from the nominal amount claimed? This would be just to both parties, requiring the debtor to pay only the amount of value he had stipulated to

pay, and giving the creditor all the values he had ever a right to demand.

But, if we go against all paper money, what shall we do with existing banks? Repeal, of course, that clause in their charters, which allows them to issue their notes as a currency, and require the immediate redemption, in gold and silver, of the notes they have now in circulation. This, we admit, is a bold measure, and cannot be adopted at once, without causing great suffering. But what of that? It is better to take a medicine, which will expel a lingering disease and restore us to health, although its immediate operation shall give us the gripes, than it is to be always sick. What is true in this respect of the individual, is of the community. It is better to feel the full shock of the evil at once, and then to be ever after free from it, than it is to be constantly debilitated by it. But be this as it may, a healthy state of business cannot be obtained at a less expense.

Having disposed of the currency question, and by annihilating all banks of circulation, brought the currency to the constitutional standard, we must extirpate all monopolies, not necessarily all corporations. Corporations are useful, and answer many desirable purposes. All that democracy can ask in regard to them is, that they conceal no monopoly principle, that they confer on the corporator no privileges, which he did not possess or may not possess as an individual. We would, therefore, insist that the individual property of all the corporators should be holden for the debts of the corporation.

Corporations, for manufacturing purposes are not strictly anti-democratic, when their charters confer no monopoly; and yet they exert an anti-democratic influence. Their tendency at present is unwholesome. Nevertheless, they are founded on a principle destined to play an important part in the business of production, that of *associated labor.* They are but a feeble, a most imperfect embodiment of this principle; but they contain the germ of it, and we should therefore seek to perfect them, and not to destroy them. When we can make them corporations, as we may, of operatives and employers in the same persons, and not of employers alone, they will be great blessings.

Banks are at present monopolies, for they have the privilege of making a use of their credit, which is denied to individuals. But when they cease to be banks of issue, and restrict themselves to the ordinary functions of banking,

that is, to negotiating loans and exchanges, they will not necessarily be monopolies, and may be suffered to exist. If, however, they are found to have any privilege, which an individual has not, or which he can have only by becoming a member of them as bodies corporate, they should be modified, and this principle taken away.

Monopolies disposed of, many other questions will come up. The reforms we need are in very few cases political. By political reforms, we understand reforms in the organization of the state. A few of these may, perhaps, be needed. The right of suffrage needs some extension, and, perhaps, the judiciary some constitutional changes. But the principal questions which come up relate not to political, but legislative reforms. There are several of these, which we intended to specify, but we have already exceeded our limits. We can only add, that we must complete the abolition of imprisonment for debt, and revise our laws relating to the collection of debts. The expenses annually incurred by the collection of debts by law exceed the amount of debts so collected. These expenses are borne chiefly by the debtor class, already embarrassed; and serve to maintain a set of legal harpies, which public morality would willingly dispense with altogether. Why should not all ordinary debts be regarded as mere individual matters, which are to be adjusted by individuals, without calling in the aid of society? Why not leave the whole subject to individual probity and honor? If so left, the demand for these virtues would be increased, and thereby public and private morality be promoted.

Reforms in the criminal code are demanded. We cannot specify them now; we can only say that our criminal code should be made to harmonize with the principle, that human governments have no right to punish, except for the purpose of restraint from actual violence, done either to individual rights, or social.

In fine, we must insist upon a system of education, combining industry with science and literature. Or, in one word, a system of industrial schools, in which some branch of industry shall be pursued, in connection with literature and science. Schools of this kind are needed for ennobling labor. When all the children of the commonwealth labor, labor will be honorable. They are needed for the promotion and preservation of health. A few hours' labor every day is essential to the health of the student. They are also

needed in order to enable each child in the commonwealth to have access to the best education the community can afford. They may easily be made self-supporting schools, and cost the state nothing, and then education may be really universal.

Some other things we would specify, but we have said enough. What we have said indicates that the democracy has a great work to perform, and that it cannot engage too soon, nor be too much in earnest to perform it.

Doubtless, some will dissent from the policy we have marked out, the measures we have suggested. Be it so. We have merely given our own views freely and boldly. We have told what we honestly think the democracy should attempt, stated the ground on which it should rally, and some of the measures, on which it should insist. If others think us wrong, wild, rash, impracticable, or wicked, all we have to say is, let them bring forward something better. But, whatever they have to propose, let them be speedy. Time flies. The enemy is already in our midst, has already entrenched himself in some of our strongholds, and threatens to bring us under his accursed dominion. Friends of the constitution and of equal rights, be on the alert. You have no time to waste. Now, or never, must you recover your kingdom, and establish your empire. Now, or never, must you seize upon a true democratic policy, and stake every thing on one bold effort to save the constitution, and establish the reign of Justice and Equality.

DISTRIBUTION AND THE PUBLIC LANDS.

[From the Boston Quarterly Review for April, 1841.]

The subject of the public lands and their proceeds is one of grave importance, and deserving the serious consideration of every American citizen. On the decision respecting it, to which congress shall ultimately come, it is, perhaps, not too much to say, depends the purity, the utility, if not the existence of the federal government.

While we are writing this article, it is rumored that an extra session of congress is to be called at an early day; if so, the subject before us can hardly fail to be one of the

first and weightiest, that will claim its attention. No apology, then, is needed from us to our readers, for devoting, at this time, some considerable space in our pages to its free and full discussion.

The subject itself naturally branches off into two distinct inquiries, each of which needs a separate answer: 1. What disposition shall be made of the public lands lying within the limits of the new states? 2. What disposition shall be made of the proceeds of the sale of the public lands? We shall confine ourselves, for the present, to the second inquiry.

Hitherto, the proceeds of the sale of public lands have gone into the treasury in like manner as the proceeds of the customs, and been applied indiscriminately with the revenues derived from other sources, to any of the wants of the government. But it is now proposed to discriminate between revenue derived from the sales of land, and revenue derived from other sources; and while the last may, as heretofore, be used to meet the demands on the treasury, the other must be reserved as a fund for distribution among the several states. In other words, it is proposed to distribute the net proceeds of the sale of public lands among the several states, in the ratio of their representation in congress. This is what is called the policy of Distribution.

In considering this proposed policy of distribution, it is very natural to inquire if there ever have been, or if there are likely to be, for some time to come, at least, any net proceeds of the sale of public lands to distribute? The proposition is to distribute *net* proceeds, and it can take effect only in case that there are net proceeds. There can be net proceeds only on the condition, that the receipts from the sale of the public lands exceed the expenditures of the government on their account.

Now, in point of fact, the public lands, thus far have proved a dead loss to the United States. They have expended, on account of these lands, nearly nineteen millions of dollars over and above the gross receipts from their sale. According to Mr. Wright's speech, which may be relied on, for he copies from official records, the whole actual cost of the public lands to the government, up to the 30th of September, 1839,—excluding the expenses of various Indian wars, which have grown out of treaties for their purchase, and the execution of them by the removal of the Indians,—

was one hundred and thirty-five millions, fifty-five thousand, two hundred and twenty-five dollars and four cents; while the gross receipts of money for the sale of land up to the same date amounted to one hundred sixteen millions, one hundred ninety-eight thousand, one hundred and seventy-nine dollars and fifteen cents; leaving, as will be seen, a balance against the lands in favor of the treasury of eighteen millions, eight hundred fifty-seven thousand, and forty-five dollars, and eighty-nine cents. This shows, that the government has expended more than it has received. Till this excess of expenditure is reimbursed by the receipts from the sale of the public lands, there can be no *net* proceeds. It would seem, then, to be somewhat idle to talk of the distribution of net proceeds among the several states, at least for the present.

But, waiving this fact, conclusive, in our judgment, it is by no means impertinent to ask, would congress have a right, in case there were net proceeds, to distribute them among the several states?

No man, we presume, whatever the complexion of his politics, will contend, that congress has a right to lay and collect taxes for the express purpose of distribution. The taxing power of congress is limited. The constitution merely gives it "power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the United States." Congress may, of course, contract debts, but only for constitutional objects. Consequently, its taxing power is restricted to raising the amount of revenue necessary for discharging the constitutional functions of the government. Every cent of money collected from the people beyond this, in whatever shape, or under whatever pretence it may be taken, is wrongfully, unconstitutionally taken.

Now, if congress has no right to lay and collect taxes expressly for the purpose of distribution, can it have the right to lay and collect taxes for the purpose of buying land, with a view to selling the land and distributing its proceeds? Why may it not just as well distribute the revenue it has collected, before it has been invested in the land, as after it has returned into the treasury from the sale of the land? Where is the difference? We can see none in principle. We conclude, therefore, that if congress has not, as it unquestionably has not, the right to raise a revenue for distribution, it can have no right to raise a revenue, invest it in land, then sell the land, and distribute the proceeds.

But all the public lands, to which the Indian title is extinguished, that is to say, all the *land* actually owned by the United States, and from which money can come into the treasury, have been bought by the United States, and paid for out of the federal treasury, and of course out of funds collected from the people by taxation, direct or indirect. These public lands, then, are only the peculiar shape, in which a given amount of the revenue, raised by taxation, now exists. What, then, is distributing the proceeds of their sale, but distributing revenue itself? What is it, in reality, but taxing the people for the purpose of raising funds to be distributed in largesses among the several states? Is the distribution of largesses among the several states among the objects, for which congress has a constitutional right "to lay and collect taxes, duties, imposts, and excises"?

If we take the ground, that these public lands are not revenue, then we deny the right of the federal government to purchase them, and vitiate its whole past proceedings in regard to them. The purchase of land, beyond what is necessary for public uses, is not one of the objects, for which congress has a right to lay and collect taxes. The federal government can constitutionally justify its appropriations of the funds of the treasury to the purchase of these lands, only on the ground, that the funds so appropriated do not cease to be revenue, are not placed beyond the reach of application to the objects for which congress has the right to tax the people. These public lands, then, if rightfully held, are nothing but revenue, the form, more or less available, in which the government has, wisely or unwisely, seen proper to invest a portion of its income. This admitted, it follows, as a matter of course, that the same law must govern the disposition of them or their proceeds, that would govern the appropriation of any of the other resources of the treasury.

Admit, then, that there are,—as there are not,—net proceeds; they belong to the same proprietor, to whom belonged the revenues invested, to the proprietor of the funds, with which the lands were purchased. The lands were purchased with the funds of the United States, in their united, federal character. The United States in this character, furnish the funds, make the investment, transact the whole concern on their own account, are liable for the losses; and are they not, then, alone entitled to the profits? If

so, congress has no right to appropriate the profits to any other objects than those, to which it might have appropriated the taxes, from which these profits are mediately derived.

On the ground which we have assumed, namely, that the public lands have been bought by the United States, and paid for with the funds of the federal treasury, which funds were collected from the people by taxation, there is no escaping our conclusion, that they and their proceeds are revenue, and therefore, applicable only to objects, for which congress has a constitutional right to raise a revenue. Distribution among the states is not one of these objects: consequently the policy of distribution of the proceeds of the public lands is unconstitutional, and ought not to be entertained. But the advocates of the policy assume a different ground. They contend, in substance, that the United States, in their federal, united character, are not the owner, but the trustee of the public lands, holding them in trust, 1. For the payment of the public debt, incurred by the war of the revolution, and 2. For the benefit of the several states, in their separate, individual character. The debt being now paid off, they contend, that the several states have a right to demand that the net proceeds of the lands, held for their individual benefit, be distributed among them according to the ratio of their representation in congress. Is this ground tenable?

The position here assumed, is, to say the least, not tenable against the whole public domain, but, if at all, only against that portion which was originally ceded to the Union by particular states. All that portion of the public domain included in the territories of Iowa and Florida, all lying west of the Mississippi, in the states of Missouri, Arkansas, and Louisiana, and in the states of Mississippi and Alabama, South of the thirty-first degree of North latitude, and which is by far the larger portion, is without the limits of the territory ceded by particular states, and has been acquired by purchase from France and Spain, and the Indian tribes, and paid for out of the federal treasury, with the funds of the United States. This portion is, of course, owned by the United States, so far as owned at all, and not by the individual states. It then cannot be held in trust for the purposes alleged.

The other portion of the public lands was ceded to the Union by particular states; but these states did not convey

a clear title to the land. They ceded, so far as the present question is concerned, only the right to purchase the land of the Indian tribes, who were its acknowledged owners. Now the federal government, so far as the Indian title does not yet remain unextinguished, has bought these lands and paid for them with the funds of the United States. It holds them by virtue of purchase from the Indian tribes, and not by virtue of state cession. The United States have bought them, and paid for them with their own funds; and why do they not own them as much as a man owns his farm, for which he has paid, and received a legally executed deed? So far as concerns the proceeds of lands sold, we can see, then, no more claim the individual states can have to them in the case of this portion of the public domain, than in the case of the other.

But admit, that the particular states making cessions, did convey a clear title to the land, as well as the right to purchase, still the claims of the individual states are invalid, because they ceded their original claims to the United States for the *common* benefit of all the states, and not for their separate, or individual benefit. Congress, in their resolution of the 10th of October, 1780, declare "that the unappropriated lands, which may be ceded to the United States by any particular state, shall be disposed of for the *common* benefit of the United States." New York, in the act of her legislature, authorizing her delegates in congress to cede to the United States her claims to the western territory, enacts, that the lands so ceded, "shall be and enure to the use and benefit of such of the United States as shall become members of the federal alliance of the said states, and for no other purpose whatsoever;" and in her deed of cession, she "cedes, transfers, and forever relinquishes to, and *for the only use and benefit* of such of the states as are, or as shall become, parties to the articles of confederation; all her right, title, jurisdiction, and claim" to the lands in question.

Virginia insisted upon a guaranty from congress, that the lands ceded should be disposed of for the "common benefit" of all the states, which were, or which should become members of the confederation, or federal alliance; and it was in consideration of the fact, that "congress, by their act of 6th September, 1780, did recommend to the several states of the Union, having claims to waste and unappropriated lands in the western country, a liberal cession to the

United States of a portion of their respective claims, for the *common* benefit of the Union," and in the belief that congress would continue "earnestly to press upon other states, claiming large tracts of waste and uncultivated territory, the propriety of making cessions equally liberal for the *common benefit and support of the Union*," that she finally consented to make her cession. And in her deed of cession she stipulates:

"That all the lands within the territory so ceded to the United States shall be considered a *common* fund, for the use and benefit of such of the United States as have become, or shall become, members of the confederation, or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the *general* charge and expenditure, and shall be faithfully and *bona fide* disposed of for that purpose, and for no other use or purpose whatsoever."

The other states follow the same principle, and cede their claims for the same purpose; that is, that these lands may be a "common fund" for the use and benefit of all the members of the confederation, or federal alliance of the states. This would seem to be enough. The lands were ceded to the United States, to constitute a "common fund" for their use and benefit. Language could not be more explicit; and if we recur to the circumstances, under which the cessions were made, we shall be satisfied, that more explicit language could not be desired. All these cessions, with the exception of those made by North Carolina and Georgia, and cessions, from which nothing has been derived to the treasury, were made before the adoption of the present constitution, under the old articles of confederation. Under the articles of confederation congress had no fixed revenue, or at least none to answer its wants. It did not assess, as the federal government may now, its taxes directly on the people of the several states. It merely determined on the amount of money it needed, and made its requisitions on the several states, leaving it to the states to raise their respective quotas in their own way, by impost, direct taxation, or loan, as they saw proper.

Now, the states which had, as individual states, no claim to these waste and unappropriated lands, desired them to be ceded to the Union, as a common fund to meet, as far as they would go, *these requisitions made by congress* on the several states. They did not ask the cession, as affording a fund for defraying their own peculiar expenses, expenses

incurred in their character of individual states, but to meet those expenses, which they incurred as members of the confederation, that is, to meet the expenses, not of the separate states, but of the United States.

If we examine attentively the Virginia deed of cession, we shall see that it was drawn up expressly to meet this view of the case. Virginia, in the first place, stipulates that it "shall be a *common* fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of said states." Then, to prevent all cavil, she further stipulates, that it shall be a common fund, to be apportioned out to each state, according to its "usual proportion in the general charge and expenditure." This last stipulation, at that time, had a meaning, which, by the adoption of the federal constitution, it has not now; but it affords additional evidence, that the intent of Virginia was, that the lands ceded should be for the use and benefit of all the states in meeting this "general charge and expenditure," that is to say, the charge and expenditure of the Union; and, therefore, she stipulates that it shall be placed to the credit of each state, according to its proportion of that charge and expenditure. This was precisely what the states, making no individual claim to the western territory, demanded.

Maryland, New Jersey, and the other states, having no individual claims to this western territory, regarded these lands, which the other states claimed and subsequently ceded to the Union, as "crown lands," a part of the royal domain, and, therefore, after the revolution, as vesting in the United States. The legislature of New Jersey, in their remonstrance to congress against the exclusive pretensions of Virginia, say, "we cannot be silent, while viewing one state aggrandizing herself by the unjust detention of that property, which has been procured by the *common* blood and treasure of the whole, and which, on every principle of reason and justice, is *vested in congress for the use and general benefit of the Union they represent.*" The same doctrine was put forth, and still more strenuously urged, by Maryland. The legislature of New York, in the act already referred to, assign, as a reason for authorizing the cession of her claims to the lands in question, the fact, that "it is conceived that they ought to be appropriated as a *common fund* for the expenses of the war." Mr. Madison, in his cor-

respondence, as we have it in the Madison Papers, everywhere speaks of the cession to be made, as a cession to be made "for the common benefit." These facts, taken in connection with the language used in the deeds of cession, render it absolutely certain, that the lands were ceded as a "common fund" for meeting the expenses of the United States, incurred in their united character, not as a fund to be divided among the states for defraying expenses incurred in their individual character.

It follows from this, that so far as the United States hold these lands under the deeds of cession executed by particular states, they hold them for the common use and benefit of all the states, and are bound to apply their proceeds to the expenses of the states, incurred in their united, federal character. *They were ceded to the Union for the express purpose of contributing towards a permanent revenue for the Union.* Congress has, then, no right to appropriate their proceeds to any other purpose. Taking these lands, then, and following the deeds of cession, and allowing them to be all that the advocates of distribution contend, we are still obliged to regard them as revenue, revenue of the Union, and applicable to no purposes, except those for which, as we have said before, congress has the constitutional right to raise a revenue.

The next position assumed by the advocates of distribution is, that these lands were ceded to the Union for the purpose of paying the debt incurred by the war of the revolution; and as that debt is now paid off, they, in equity at least, revert to the states individually. But, admitting this was the purpose, for which they were ceded, the reversion can be only of the claims which were ceded, that is to say, of the right to purchase. The property in the *land* cannot revert, for this property does not vest in the United States by virtue of state cession, but of the deeds executed by the Indian tribes, of whom the United States have purchased them with the funds of the Union. The cession, moreover, was entire, and for ever, of all the right, title, jurisdiction, and *claim* of the ceding states. There is nothing in the deeds of cession, on which to found a claim of reversion. Nor is there, in the history of the times, any thing that shows, such was the understanding of the states making, or or the United States accepting, the cessions.

Furthermore, the lands were not ceded for the express purpose of paying the debt of the revolution, nor any other

specific debt. They were ceded for the general purposes of revenue, which revenue might be applied to the extinguishment of the public debt, or to any of the legitimate purposes, for which congress might raise money. It was believed at the time, that these lands might be made a source of revenue to the Union, and this was the ground, on which the states not claiming them in their separate right, demanded their assumption by the Union, or their cession to it. This point we have already established. Maryland would not ratify the articles of confederation till the cession of New York gave assurance, that the western territory would become a common fund for the benefit of all the members of the federal alliance. The territory was ceded for the general purposes of revenue; but as the public debt was then the great concern of the government, there can be little doubt, that it was hoped that its cession to the Union would contribute something towards extinguishing that debt; at least, towards paying the interest annually accruing on it; or, what is still more evident, that the cession would inspire public creditors with confidence in the ultimate ability of the United States to meet all demands against them.

But, admit the lands were ceded to the Union to pay the public debt incurred by the war of the revolution. We ask, which debt? The debt incurred by the United States, or by the individual states? Each state incurred a debt of its own in that war, besides the debt it incurred as a member of the Union. There was a United States debt, and a debt of the individual states. These lands we do not find were ceded to pay these individual state debts, but, if any, the debts of the United States. This is rendered evident by the fact, that both Virginia and Georgia stipulated, as conditions of their respective cessions, that congress should reimburse them certain expenditures they had made on account of these lands, in defending them against the British and Indians. If the cessions had been made for the purpose of extinguishing the state debts, these stipulations would hardly have been necessary. They were ceded, then, to meet the general expenses, and to help discharge the common debt. This, again, confirms the ground we have taken, that their cession was for the common benefit, and renders it obligatory on congress to appropriate their proceeds to the use of the states in their united capacity, not in their individual.

Moreover, though these lands were unquestionably ceded, as they were solicited, as a fund for the common use and

benefit of all the states united, and, therefore, capable of being applied to any of the purposes for which congress might lay and collect taxes, and to no others, yet there were other reasons, which had their influence. The states, which had no claim in their separate right to these lands, were jealous of the states which had. The claims of one state, also, conflicted with those of another. The claims of New York were thought to cover all the territory claimed by Virginia, and the deeds of cession executed by New York and Massachusetts cover the same identical territory. Back of all these was the claim of the United States, which was considered by several of the states as preferable to that of the particular states. How were these conflicting claims to be adjusted, and the jealousies and heart-burnings growing out of them to be allayed? Evidently, the most feasible way was for the particular states to cede their claims to the Union, under guaranty that they should be disposed of for the common benefit of all the members of the federal alliance. It was on this ground, that New York passed the act to which we have referred, an act which she entitled "An act to facilitate the completion of the articles of confederation and perpetual union among the United States of America." On this ground, too, congress resolved, on the 6th of September, 1780, "that it be earnestly recommended to those states, who have claims to the western country, to pass such laws, and to give their delegates in congress such powers, as may effectually remove the only obstacle to a final ratification of the articles of confederation."

But, granting all that the advocates of distribution contend for, it will avail them nothing. They say these lands were ceded to the Union for the payment of the debt incurred by the war of the revolution. Be it so. But, these net proceeds must equal the amount of that debt before there can be, on the part of the states, any claim to reversion.

Now these lands have not, as yet, contributed one cent toward the payment of that debt. Taking the lands ceded by the particular states to the Union, and they are still in debt to the Union. The Union has never derived a cent of clear income from them. The expense of extinguishing the Indian title, surveying, bringing them into market, and disposing of them, had exceeded, according to Mr. Wright's statement, on the 30th of September, 1839, the gross amount of receipts from their sales, one million, one hundred seven

thousand, two hundred and six dollars, and thirty-nine cents. Where is the reversion of remainder to the states? There is, as yet, no remainder. There can be none on the principles assumed by the advocates of distribution, till this one million and over is wiped off; nay, not until the net receipts of these lands shall have reimbursed the Union all that it has paid on account of the debt of the revolution, for which, it is said, they were held in trust.

We go a step further. We not only say, that the ceded territory never has contributed a cent towards paying the debt, for which, it is alleged, they were ceded to the Union; but we say, that under no circumstances can they reimburse the Union for what it has paid on account of that debt. The debt of the United States, at the conclusion of the revolutionary war, in 1783, as near as could be ascertained, was forty-two millions, three hundred and seventy-five dollars, the annual interest on which was computed at two millions, four hundred fifteen thousand, nine hundred and fifty-six dollars. This would make the present value of the debt, with simple interest, one hundred eighty-two millions, one hundred twenty-five thousand, eight hundred and twenty-three dollars. This is the sum now chargeable against these lands, and which they must reimburse, before the states can have any claim to a distribution of their proceeds, on the principle contended for. We will, however, abate the interest, and take the debt as it stood in 1783, that is, at forty-two millions, three hundred and seventy-five dollars.

The whole amount of land ceded to the Union by particular states, from which money could come into the treasury, according to Mr. Wright's table, was two hundred two millions, four hundred sixty-six thousand, seven hundred and sixty-five acres; of which there remains now, "subject to sale," one hundred five millions, eight hundred sixty-five thousand, one hundred and nineteen acres, together with twenty-six millions, nine hundred twenty-two thousand, seven hundred and thirty-one acres, to which the Indian title is not yet extinguished. The present value of this, allowing nothing for extinguishing the Indian title, and estimating the land at one dollar and twenty-five cents per acre, assuming the calculations of the committee on public lands as the basis of our estimate, cannot exceed twenty-three millions of dollars. Suppose, then, the whole of this land shall be sold, at the present government price, which it cannot be, it will discharge but about one-half of the pub-

lic debt, rated at its value at the close of the war, in 1783. Whence, then, is to come a remainder, to be distributed among the several states?

But the advocates of the policy under consideration, abandoning this ground, assume another. They abandon the *right* of the states to claim a distribution, and contend only for the *power* of congress to distribute the proceeds of the public lands among the several states, according to its own discretion. This power they deduce from that clause in the constitution, which gives to congress power to dispose of the territory and other property of the United States. The clause in question reads:

"'The congress shall have power to dispose of and make all needful rules and regulations respecting the territory, or *other property* belonging to the United States."

Does this clause give the power contended for? It will be seen at once, that it gives to congress no power to dispose of the public domain, which it does not also give it to dispose of the *other* property of the United States. It has the same power to dispose of "the public buildings, docks and navy yards, forts, arsenals, magazines, ships of war, cannon, arms of all descriptions, naval stores, and munitions of war," that it has to dispose of the public lands. Has congress a discretionary power over the disposal of all this immense amount of property, which, according to some estimates, cannot be less than two thousand millions of dollars? Take the case suggested by Mr. Calhoun. Has congress a right to select one of the religious sects of the country, "say the Methodist, the Baptist, the Presbyterian, Episcopalian, or Catholic, and erect it into a splendid hierachy, by endowing it out of this ample fund?" Why not? For the plain reason, that the constitution prohibits congress from creating a religious establishment. Congress cannot, then, dispose of the public domain for objects prohibited by the constitution.

We proceed a step further. We are still borrowing from Mr. Calhoun. Would congress, for instance, have the right to appropriate the proceeds of this territory to the Colonization Society, or the Abolition Society, in the first case, with a view of christianizing and civilizing Africa, and in the last case, with a view of emancipating the negro slaves? Here are great objects, and good objects, in the judgment of not a few. Why has not congress a right to make appropriations for their furtherance? Simply, because the constitu-

tion gives it no express grant of power for that purpose Here, then, is another restriction on the discretionary power of congress. It can, in the first place, dispose of the property of the United States for no objects prohibited by the constitution; and, in the second place, for no objects which the constitution does not expressly grant it power to make appropriations for.

This follows, from the very nature of the federal government, which is one not of general, but of special powers. The constitution is the enumeration, rather than a limitation of its powers. The government is not free to exercise all the powers of government not expressly prohibited; but it is prohibited from exercising all powers not expressly granted, specified, enumerated. It is not enough, that there is in the constitution no express clause against the measure proposed, but there must be an express clause in its favor, before congress can have a constitutional right to adopt it. This is the only safe rule of construing the constitution. The conclusion we have drawn, then, is inevitable. The discretionary power of congress over the territory of the United States is subject to the two limitations we have stated. It may unquestionably dispose of that territory, but for *no object prohibited, or not expressly authorized, by the constitution.* It can, then, appropriate the proceeds of this territory only to constitutional objects,—objects, for which it has a constitutional right to make appropriations from the treasury. Distribution among the several states is confessedly not one of these objects; consequently, congress has no right to distribute the proceeds of the public lands among the several states.

This reasoning we hold unanswerable and conclusive against the constitutionality of the policy of distribution. Here, then, we might rest our case, for we presume that there is no class of men amongst us, willing,—knowingly and deliberately,—to run athwart the constitution. There is yet, we should hope, too much respect for constitutional government remaining in the breasts of the American people, to render this either feasible or safe. Nevertheless, the expediency of the policy, and especially at this time, is worth considering.

The reasons for advocating this policy are by no means recondite, nor are they reasons, which should be wholly disregarded. Several of the states, in prosecuting works of internal improvement, in endeavoring to aid their banking

institutions, and the business operations of their citizens generally, have contracted large and somewhat pressing debts. Their credit is impaired; their securities are at a ruinous discount; and in some instances, absolutely unsalable. In the complicated state of the credit system, this operates greatly to the disadvantage not only of the particular states concerned, but of business in general. The resources of the country are to a great extent locked up, and its energies crippled. If we could revive and confirm the credit of these states abroad, where the principal part of the securities are held, we should throw these securities again into the market, render them salable without any serious loss; enable the states issuing them to go on with their internal improvements, to complete their public works, and get the command of their resources; enable the banking institutions, whose resources are locked up in these securities, to apply their capital to the general business operations of the country, and in that way to save themselves, and the merchants dependent on them, from utter ruin; give a new spring to trade, cause business to revive, and the country to prosper.

Distribution, it is thought, will aid this result in two ways. The sum which will be distributed,—for it is proposed to distribute about three millions and a half annually to the several states,—will afford considerable relief to the embarrassed states, and enable them to meet their more pressing engagements. It will also tend to inspire confidence in the holders of state securities, as to their value and ultimate redemption. The depressed condition of these securities is owing chiefly to the loss of confidence in the ability or disposition of the states issuing them to redeem them. Restore this confidence and they rise immediately to their par value generally, and will be sought for by all who have capital to invest, whether at home or abroad. This done, the evil is removed. The increase of ability which distribution will give to the states, and the policy it will indicate on the part of the general government, in regard to the credit system of the country, it is thought will restore this confidence.

These, we suppose, are the reasons which govern the advocates of distribution. They are, of course, reasons not without weight, and which may be supposed to be urged in good faith, and with patriotic views.

We very much doubt, however, whether the result de-

sired would follow the adoption of the contemplated policy. Our own opinion is, that the credit system has been pushed too far, that it is falling to pieces from its own inherent weakness, and that all attempts to bolster it up will prove unavailing. It is past remedy, and the prescriptions of our state physicians are merely prescriptions to a body already in the agonies of death. But let this pass, as foreign to our present purpose. We still object to the policy, because the end sought can be obtained at a less expense in another way.

Whence has come this loss of confidence in state securities? So far as it is not the result of the inherent weakness of the system, and, therefore, so far as confidence is capable of being restored, it has come from the general persuasion, at home and abroad, that the last two administrations were at war with what is called "the credit system." This persuasion grew out of the means resorted to by the opposition to those administrations, for the purpose of breaking them down, and, perhaps, in part, from the doctrines propagated by some members of the party generally supporting them. The persuasion was, in our judgment, without any solid foundation. But let that pass. The public sentiment of the country has always been favorable to credit, always in favor of the government, whether state or federal, keeping faith with its creditors. It is true, that the doctrine has been put forth, by here and there an individual, that state loans are unconstitutional, and that the people of the states are not bound to redeem them. But this doctrine has few disciples; and fewer still of those even, who believe in the unconstitutionality of the loans, would go so far as to recommend applying the sponge.

Several of the states, we grant, are deeply in debt; but there is no state in this Union, that has not ample resources for liquidating all its liabilities. We will also venture to say, that there is no state in this Union, that is so lost to all sense of her honor as a state, to say nothing of common honesty, as even to dream of violating her faith with the public creditor. If we believed there were such a state, were she our own mother-land, we would disavow her, and wish her blotted from the map of the Union. In saying this, we do but express the sentiment of the immense majority of the people of all the states. The American people, thank God! have yet a strong sense of justice; they have also a lofty pride of character, that would induce almost every man to

become a beggar, sooner than consent to see the government of his choice deliberately refusing to keep its faith.

Let it be once understood,—as it may be now,—that the states have within themselves, and they certainly have, the means of redeeming their obligations, and that they also have the disposition to do it, and confidence in their securities will be restored, as far as it is possible to restore it. There is now no motive for representing the federal government or its friends as hostile to credit, as desirous of embarrassing the business operations of the country; and we assure the holders of state securities, that they will never find a party in this country of sufficient numbers to be counted, that will advocate the non-redemption of those securities. This, clearly and distinctly understood, will have all the beneficial effect on state bonds, that can be hoped for from distribution.

The project of complete and entire assumption of the state debts by the Union, we presume no statesman will venture to recommend. The indirect and partial resumption, by distribution of three millions and a half, will be insufficient, and fail in its object. It will not be enough to relieve the embarrassments of the indebted states, yet these states will rely on it, and hope, by its aid, to get along, without resorting to the efficient measures required. They will adopt a temporizing policy, which will relieve no embarrassment, and inspire no confidence. The indebted states must resort to taxation. This, whatever temporary expedients they may adopt, must be resorted to at last, and every thing which tends to delay the resort to this, but in reality aggravates the evil. The sooner the indebted states lay a tax on their citizens to meet their engagements, the better it will be for them, the better for all concerned. Let the state provide for its liabilities out of its own resources, and its credit will rise much more rapidly, and be placed on a much more permanent basis, than it will be by any temporary aid it may derive from distribution of the proceeds of the public lands.

But we object to this policy on another ground. The amount, which it is proposed to distribute, cannot be spared from the federal treasury. We are told, that there is a deficit in the revenues, a considerable public debt accumulating, and that congress must be called together immediately, to devise, among other matters, ways and means for meeting the demands on the treasury for the ordinary expenses

of the government. Is it wise, when such is the state of our finances, already inadequate to our wants, to diminish them by gratuitously distributing nearly one-fourth of the ordinary revenue among the several states? The deficiency that will thus be occasioned can be met only by a resort to additional taxation. And the necessity of this resort to additional taxation will not grow out of the legitimate wants of the federal government, but out of the wants of the state governments. Why not, then, as taxation must be resorted to by one government or the other, leave it to the state governments, whose wants create the necessity? Why shall the federal government be compelled to assume the odious character of tax-collector for the states? Was this the purpose for which it was created? It is no mark of good statesmanship, to say the least, to create, needlessly, a necessity of resorting to taxation. If we had a surplus in the treasury, more money than we needed, then there might be some show of propriety in distributing it among the states; but now, when we have no more than we want, and when we are even threatened with a deficiency, to distribute three millions and a half, strikes us, to say the least, as a piece of rather bungling statesmanship.

The deficiency distribution would create must be met by new imposts. It will require us to raise the tariff of duties. But this cannot be done without disturbing the tranquillity of the Union. No wise man, no friend of the Union, it seems to us, can wish to renew the painful and angry, if not dangerous discussions, on this subject, which we have so lately passed through. A tariff for protection will never again be submitted to. Our manufacturers do not need it; our commerce is opposed to it. Commerce wants freedom, and our manufacturers are able to protect themselves. They are established on a permanent basis, and if left to the ingenuity and enterprise of our citizens, can compete successfully with those of the Old World. There is, then, in reality, no reason for a tariff, except for revenue. The country will tolerate a tariff for no other purpose, and there is no man who dares risk his reputation by proposing one directly for protection.

But, distribute three millions and a half of revenue, create thereby a deficiency, then cannot the friends of a tariff for protection urge the imposition of new or additional duties, on the ground that they are needed for the purposes of revenue? "The Compromise Act," as it is called, is held sacred by

the country; but that act recognizes the propriety of raising the *ad valorem* duty, if required for the purposes of revenue. Create then, by distribution, a deficiency in the revenue, and additional duties may be imposed, without disturbing that act. This would be an ingenious way of keeping the letter of that act, while violating its spirit. Is this the secret of the policy of distribution? Is it the old tariff interest, that is at work here, attempting to do indirectly, covertly, what it wants the courage, the manliness, to attempt openly, directly? So it would seem. And yet, the advocates of distribution are high-minded and honorable men,—men who would scorn to be thought deficient in courage, moral or physical, and who would deem it gross injustice to be thought capable of attempting to carry any great measure of state policy, by management, or trickery.

But suppose the policy adopted, the deficiency created, and supplied by an increased tariff of duties; what will be the result? Connected with this policy will be another, the repeal of the Independent Treasury Law, and the establishment of a new United States Bank, or the revival, with modifications, of the "pet bank" system,—most likely, for the present, the latter. This we will suppose done, and that the whole policy succeeds according to the calculations of its friends. The state bonds will become salable in the market; the banks can avail themselves of their resources; trade will revive, and business will be brisk; heavy importations will be made after the first or second year, the duties on which will be deposited in the bank or banks during the period between collection and disbursement, and made the basis of discounts. The banks, having in addition to their own capital the government deposit, will discount freely; which will have for its first effect to expand the circulation and appreciate prices. This will neutralize the good effects of the tariff on manufactures. It will also increase the profits as well as the means of importations. The second effect will be to make large additions to the amount of foreign importations. These additions will, of course, increase the revenue, and of course the amount of government deposits; and, of course, again, the ability of the banks to enlarge their discounts. This, again, will still further expand the circulation, appreciate prices still more, and, in a word, revive in all their aggravated features, the ruinous speculations of 1835 and 1836. This is the inevitable result of the policy proposed, in case it prove successful. Is this result desirable?

We know that it may be thought, that individuals and banks have learned wisdom from their past experience; but those mad speculations were not the effect of the madness of individuals, nor of banks. When prices were every day rising, who could see where to stop in his purchases to sell again? When the bank assets far exceeded its obligations, and specie was readily obtained when wanted, who could say where the bank ought to stop in its discounts? We have blamed too severely both individuals and banks for the disastrous scenes of the years alluded to. Individuals and banks were the victims of the combined operations of the tariff and paper money, aided by the immense state and corporation loans abroad, of nearly three hundred millions of dollars, all of which were paid in merchandise, imported to bloat the treasury, and to paralyze our home manufactures. Adopt the policy you propose, and if it succeed as you wish, it will reënact the same scenes, occasion the same mad and ruinous speculations, and make the most prudent and sagacious of our business men, and the honestest and best managed of our banking institutions their victims. If our business men have learned wisdom from past experience, they will not seek again to put into full operation the causes that produced the calamities, from which they are now but slowly beginning to recover.

The business men, including the bankers of this country, are, in what concerns their business, as enlightened, and as honest and high-minded as those of any other country in the world. They are among the elite of our population. They are bold and adventurous; but they are also prudent and sagacious. Their failures or ill-successes are seldom, taking them as a body, owing to their personal defects, whether moral or intellectual. They fail from the false systems of finance and currency, under which they are obliged to operate. The policy that has hitherto been pursued, is what has ruined them. Give them a sound, a uniform currency, give them an open field and fair play, and we will set them, whether in manufactures or in commerce, against the world. Let them abandon the narrow policy, which ill comports with their bold and adventurous minds, of striving to shut out other nations from the home market, and go forth the rival of all nations for the markets of the world. This is their true policy, and let them pursue it but for a short time with their usual prudence and energy, and the markets of the world are at their command. They

have done nobly, under all the disadvantages they have had to struggle with. What could they not do with those disadvantages, those ruinous clogs on their enterprise, removed?

Commerce and manufactures are the two leading interests of the world, the great civilizers of the race. They have been the principal agents in raising the nations from primitive barbarism; and if, in looking over the map of the earth, one spot strikes us as more luminous than another, it is the spot where commerce and manufactures have had their seat. In the ancient world the rays of light centre on the commercial republics of Phenicia, Carthage, Greece, and her colonies, and as you recede from these, you retire into darkness. They are and must be great and leading interests of this country; they are to make this country what it will be, and to give it its rank among the nations of the earth. He, who is hostile to them, is hostile to his country, nay, to his race, the enemy of freedom and civilization. In opposing the policy under consideration, we oppose not them; we but oppose a policy which they need not, and which must ever prove disastrous to them.

We also oppose the policy in question, because at this time there is a peculiar need of husbanding all the resources of the treasury to put our country in that attitude of defence, which our foreign relations render imperiously necessary. We are neither advocates nor prophets of war; we do not seriously apprehend that there will be any war at present, in which this country will be involved. Commerce has so spread her meshes over the world, so interwoven the interests of one nation with those of another, that war every day becomes more and more difficult. Still the era of peace has yet to dawn on the world, and the time when it is no longer necessary to prepare for war, has not yet come. Our relations with Great Britain at this moment are by no means of the most friendly nature. We have grievous wrongs to complain of, and difficulties to adjust, that will not be easily adjusted. We can never yield to her claims on our north-eastern boundary. We cannot adjust those claims, as some suppose, by accepting an equivalent for the territory she demands. We cannot give her the immense advantage, in case of a war with this country, of a military road from Halifax to Quebec, an advantage equivalent to an army of some thirty or forty thousand men. We can never yield to her encroachments on our northwestern frontier, for our territory must be retained entire. We can never consent, that the violation of our territory in a time of peace, by

an armed force, as in the case of the Caroline, shall pass without redress, for we are an independent nation; nor can we submit to the right of search, and the seizure of our vessels on the coast of Africa, or the high seas, under any pretence whatever. Our flag must protect our commerce, and our ships. Here are matters which bring us into direct conflict with Great Britain, and will inevitably lead to a war with that power, unless we show, by our firmness, by our military and naval preparations, that we are both able and determined to maintain our rights. If we would escape the calamities of war, we must be prepared for it.

Our country is confessedly almost entirely without defence. Our inland defences can be of little use in any new war, and our seaboard is unprotected, and liable at any moment, to be laid under contribution by British steamers. Is it wise, then, at this juncture, to reduce the resources of the treasury by distributing three millions and a half of the revenue among the states? Is it wise, when we are likely to want all the money that we have, and when the people must tax themselves all they can bear, for the purposes of defending our coast, and protecting our navigation, to throw away so large a portion of our resources? We need all the money that we can raise from the customs, and from land, too, to protect our country, and to put it in an attitude to assert and maintain its rights and interests. If, then, congress had the power, as we have shown that it has not, to distribute the proceeds of the public lands among the several states, it would be inexpedient, and highly impolitic to do it. Congress is called upon to appropriate the resources of the treasury to higher and more urgent objects, and as much as we sympathize with the depressed condition of the indebted states, true policy, as well as constitutional right, requires us to leave them to their own resources, which we cannot and will not believe will prove insufficient.

We here close what we have thought proper to say on the first branch of this subject. For a further discussion of it, we refer our readers to the speeches in the senate, on this question, especially to those of Mr. Wright and Mr. Calhoun, to which we with pleasure acknowledge ourselves indebted for no small part of the materials which give to this article what little value it may have.

The consideration of the other branch of the subject, namely, the disposition which ought to be made of the public lands lying within the limits of the new states, we are reluctantly compelled to postpone to a future occasion.

EXECUTIVE PATRONAGE.*

[From the Boston Quarterly Review for July, 1841.]

It is not our intention to enter into any elaborate criticism of this address from the president of the United States. As an important state paper, it falls far below that of Mr. Tyler's immediate predecessor. General Harrison's Inaugural Address has been underrated, and unjustly accused of being non-committal. A president, on entering upon the duties of his office, ought not to be expected to go into a detailed statement of the measures or the policy he will recommend, or to which he will or will not give his official sanction. All he can do with decency, is to state his views of the principles of the government he is called to administer, and the spirit in which he proposes to administer it. This General Harrison did as fully as could be required. The fault of his address was not in its no-meaning, but in its wrong meaning; in embodying in their exaggerated form, the principal errors which have obtained, or do obtain, in regard to the nature of the federal constitution and government.

These errors may all be summed up in the one fundamental error of regarding the federal government as instituted by, and resting on, the will of the majority; as a government which, in the words of General Harrison, "a breath of the majority has made and can unmake." If this were true, the some seven large states containing a majority of the population would have the constitutional right to govern, at will, the other nineteen. The local interests of these would rightfully rule, regardless of the diverse interests of all the rest. But it is well known that the constitution is not made by the will of the simple majority, but by the concurring majorities of the several states, and the government can never exercise, without usurpation, any power which more than one-fourth of the states choose to withhold. Consequently, the government must, in practice, confine itself to what concerns all the states in common, and leave those

**Address to the People of the United States.* By John Tyler. Washington: April, 1841.

matters and interests, which are peculiar to each, to the exclusive supervision and control of the state governments.

It was losing sight, for a moment, of this important fact, that led Mr. Madison to adopt the rule for determining the constitutional powers of the government, now so strenuously insisted on by the party in power. Mr. Madison, in his justification of himself for having signed the bill incorporating the late bank of the United States, when he had opposed a bank on the ground of its unconstitutionality, alleged that a "power repeatedly exercised by congress, and acquiesced in by the people, should be taken as constitutional." A more dangerous rule it is not easy to conceive of. If the stress be laid on the *acquiescence of the people*, it virtually abrogates the constitution; for it leaves the majority free to pass any law they please, that the people will tolerate; which is precisely what the case would be, were there no constitution at all. If the stress be laid on the *repeated* exercise of the power, it asserts that wrong by repetition becomes right. If on the repeated exercise by *congress*, it claims for the simple majority in congress the power of determining what the constitution shall be, of altering or amending it,—a power which, according to the constitution itself, belongs only to the concurrence of the several states, or at least to three-fourths of them.

The adoption of this rule by Mr. Madison, we presume, accounts for the fact, that he is now the pattern statesman with those who could once hardly find in the English language words of sufficient force to express their abhorrence of him and his measures; and the fact, that he is now the pattern statesman with these, should teach the old Republican state-rights party that they have too feebly protested against the rule to which he, in an evil hour, gave his high authority. Mr. Madison was a great and a good man, whose services to his country are not easily measured; but the injury he occasioned, in this instance, to the cause of constitutional liberty, is one from which we shall be long in recovering. It was indeed one of those mistakes, to which the wisest and best of men are liable in cases of perplexity and emergency; but it is one which the earliest opportunity should be seized of correcting.

Mr. Tyler and his party have adopted this fatal rule for determining the constitutional powers of the government; we trust that we shall, therefore, be pardoned for having entered our protest against it, as a rule which virtually

abrogates the constitution, converts the federal government into a government of unlimited powers, and gives to the simple majority, acting through congress, freedom to pass any law they please, providing the people will acquiesce, and not rise in rebellion and plunge the country into the horrors of civil war.

Mr. Tyler and the party now in power, so far as we can collect, appear to believe that the great danger to our liberties lies in the "tendency of power to concentrate in the hands of a single individual;" and therefore that the evil we should most studiously guard against is executive usurpation and the extension of executive patronage. But, in our judgment, this belief of theirs is founded on a superficial view of the actual tendencies in our own country. They do not seem to us to have noted with sufficient care the wide difference there is between our confederacy and one of the small city-republics of antiquity. The tendency they dread is resisted by the vast extent of our territory, and the division into separate, sovereign states; by the diverse interests and institutions of different sections; the multiplicity of rival candidates, with nearly equal pretensions and abilities; and by the general equality of our citizens.

No one man, however eminent his talents or his services, can ever succeed in commanding the suffrages of all the states. Always will there be entire states in the opposition; and one state, under our system, is always competent to bring the government back, in any of its departments, within constitutional limits. The danger, Mr. Tyler dreads so much, can exist only in small communities, where the interests are homogeneous, but where the population is divided horizontally, and parties are noble against ignoble, or rich against poor. There indeed rival parties may aid the concentration of power in the hands of their respective leaders, because each may find it necessary to do so in order to secure its triumph over the other. But with us parties are not and cannot be formed according to the horizontal division. The trial has been made, and without success. Our population is all noble; and though we have rich and poor, neither party takes in all the rich or all the poor.

Our population also has an innate jealousy of power, when exercised by a single individual, an hereditary hostility to it, which has come down to them from their ancestors, who warred against monarchy, to the knife, in the family of the

Stuarts. This innate dread, this hereditary hostility to this concentration of power, which characterizes nearly the whole of the American people, is no mean safeguard, and deserves altogether more reliance than Mr. Tyler and his party seem disposed to give it.

Then, again, our presidents are in the main simple executive officers. Saving a conditional veto, they are neither makers nor judges of the law. The president, it is true, commands the army and navy; but he cannot declare war; he cannot unsheathe the sword till the people, through their representatives, command him. He perhaps, in a certain transcendental sense, may be said to hold the purse, but he cannot open it or take a cent therefrom, till the law gives him leave, and tells him what to do with it. His usurpations, from the nature of the case, must be open, palpable, and therefore easily guarded against; and be they what they may, as they are always ministerial usurpations, they can always be remedied by a simple change of administration.

The real danger, to which our liberties are exposed, lies, we apprehend, in legislative usurpations rather than in executive. Against legislative usurpations, our people are not so much on their guard; and these are always usurpations which receive the sanction of the majority; for no law can pass the two houses of congress without the consent of the majority through their representatives. The opposition to them comes only from the minority. They must then always be hard to resist, and still harder to redress. New elections, or the gradual enlightenment of the people, will not redress them; because they are demanded by the interests of the majority, and the majority will return representatives pledged to sustain them.

Legislative usurpations, furthermore, are rarely looked upon in the light of usurpations by the great mass of the people. They have the sanction of the majority, and it is no easy matter to convince the people, that what has the sanction of the majority, is or can be a usurpation. The prevailing creed of the country asserts, with scarcely any but moral limitations, the absolute right of the majority to govern. We also retain the memory of the struggle of our fathers with the monarchs of England, when all power, conquered from the monarch by the parliament, was thought to be so much gained to liberty. We go on the supposition that all power exercised by the legislature, freely chosen by the whole people, is exercised by the peo-

ple themselves; and that power exercised by the people themselves is coincident with freedom. We have not yet learned, that the people, taken as individuals, may be completely enslaved to the people taken as the body politic, or civil society; that to establish the absolute freedom of the people, as a body politic, to do whatever they please, is to establish the absolute subjection of the whole people, taken as individuals. The ambiguity of the word *people* deceives us, and leads us to infer, that where the popular sovereignty is complete, there is absolute freedom, when in fact there is and can be only absolute subjection. But recognizing always the popular sovereignty in the acts of the legislature, and identifying popular sovereignty with freedom, we rarely fear legislative usurpation, and in general suffer without alarm the legislature to grasp powers which it has no right to exercise.

Here is the real danger. There is a wide difference between popular sovereignty and true freedom, and the people as a body politic, as civil society, may be as tyrannical in their acts as any despot, and encroach on the rights of the individual citizen with far greater impunity, and with far less danger of insurrection, rebellion, or revolution. We regret that Mr. Tyler, when discoursing on the danger to which our liberties are exposed, did not see proper to remind us that power could concentrate in the hands of congress, as well as in the hand of the president, and that the true policy of the country should be to guard against this concentration in the hands of either branch of the federal government.

Our fears of legislative usurpations, so far as concerns the federal government, are by no means imaginary. The federal legislature is steadily usurping powers not delegated to it, and bringing under the action of the federal government matters of which its framers never intended it should take cognizance. Already has it engrossed the chief business of legislation, and become in fact the only important legislative body in the country. If its usurpations be not checked, and more effectually than they were under the administrations of Jackson and Van Buren, it will not be long before consolidation is consummated. Mr. Van Buren's administration, as far as it went, was in the main unexceptionable; but somewhat deficient in boldness and nerve. The hand that guided had its cunning, but not quite all the vigor desirable. A little more of the rough energy of Jackson

would have been an improvement. Nevertheless, the country may count itself not a little favored by Providence, if it do not long have to regret the defeat of that much calumniated administration, if it soon find another as good, as faithful to the constitution.

We know of but one remedy for the evil we have here pointed out, and that consists in a hearty return to the fundamental idea of the federal government, to the state-rights principles of the old Republican party of '98; in understanding that our maxim, the majority must rule, can apply to the federal government only within the limits prescribed by the constitution; that the constitution is paramount to the will of the majority, and rests on the concurrence of the several states, each of which is, for itself, its own judge of the grant of powers it has made to the Union. This will prove a peaceable and an efficient remedy; and between this and complete consolidation there is, as far as we can see, no stopping-place.

But although we regard the chief danger as lying in legislative usurpation, we are still inclined to regard the executive patronage as too great, as dangerous, and requiring to be curtailed. But here again we are under the necessity of differing from Mr. Tyler. He seems to fancy that the evil lies in the active interference, as *individual citizens*, of office-holders in elections, and therefore seeks to guard against it by declaring such interference a disqualification for holding office. He tells us that no man shall hold office under him, who takes an active part in politics. But the evil, in our judgment, does not lie in this interference; nor is it one that can be reached by Mr. Tyler's rule of non-interference.

The rule is itself a flagrant instance of its own violation. It is, to say the least, no mean stretch of executive authority. It strikes at the rights of the states, by presuming to say what part certain of their citizens may or may not take in their political contests. It brings the patronage of the government into direct conflict with the freedom of elections, by enabling the executive to control them by all the force derivable from men's love of office, or desire to share in government plunder. It enables him to make every office-holder in the land his servile tool, and furnishes him the means, if disposed to use them, of buying up every prominent political opponent he can induce to accept of an office, and thus often to distract, and in the end discomfit the party

opposed to his administration. Is there no executive encroachment in this? Is this the efficient way of curtailing executive patronage?

Then, again, the rule is unequal, and will operate only on political opponents. No administration will ever dismiss a faithful and efficient officer because he uses his best exertions, as a citizen to sustain it. Mr. Tyler could not have supposed his constituents would credit his assertion, that he would apply the rule equally to his friends and opponents. Has he done it? Has he removed any of his friends who held office under the late administration? Are we to infer that none of them took an active part in the late presidential election? We presume not; and yet we have not heard that any of them have been removed. Nor will Mr. Tyler remove any officer of his own appointing, however active or zealous a politician, if not found wanting as a faithful and efficient officer. No administration can afford to dismiss its friends for doing what of all things it most desires them to do; and Mr. Tyler should have respected the good sense of the American people too much to have pretended to the contrary. He should have spared them at least that insult. For himself, though blessed with his usual "good luck," we can assure him, that long before his term of office expires, his administration may need the active and zealous support of all the friends it can retain or make, whether they be in office or out of office.

Mr. Tyler's rule encroaches also on the rights of the man and the citizen. The man and the citizen are not sunk in the officer. An office-holder may do whatever he has a right to do as a man and a citizen, not incompatible with the faithful discharge of his official duties. In what manner he exercises these rights is no concern of the federal executive, for he is accountable for their exercise to another tribunal. To inquire how he votes, how many speeches he makes, or how much money he spends for electioneering purposes, is as extra-judicial, if we may say so, as it would be to inquire whether he lives in a frame-house or a log-cabin, drinks hard cider or champagne, eats white bread or brown, and sleeps on a feather-bed or a pallet of straw. The relation between the executive and the office-holder is purely official, and no question transcending that relation can be rightfully entertained. If the officer neglect his official duty, he should be removed, not for taking part as a citizen in politics, but for neglecting the duties of his office; if he

transgress the laws of the state in which he resides, he should be turned out, not for his electioneering, but because every government is bound to see that its agents respect the laws of the sovereign within whose limits they reside.

The rule, furthermore, is indefinite. What is interfering in elections,—"active partisanship," as it is called? He who goes quietly to the polls and deposits his vote, is an active politician, compared with one who votes not at all; and a partisan, for he most likely votes for one party or another. Shall the citizen be deprived of his right to vote, because he is an office-holder under the federal government? We have not heard this pretended. Where then will you stop? May not the officer, without forfeiting his office, tell his honest convictions to his neighbor on political matters? If not, you abridge the freedom of speech, a thing which no branch of the federal government can attempt, without violence to the constitution. If he may tell his honest convictions to one man, why not to as many as choose to listen to him? If in one place, in one position, why not in another? Where then will you draw the line between simple non-interference at all and the most active interference compatible with official fidelity, the laws of the state, and general morality?

But the evil does not lie in the part the office-holder, in his simple capacity of a citizen, takes in the politics of the state or confederacy. The citizen loses, in general, more than he gains by the office. The man who holds an office has, as is well known, almost always less influence when he addresses his fellow-citizens on political subjects, than he would have were he wholly disconnected with office. If he sustain the administration, he is regarded as personally interested in its success, as wishing to keep the administration in power for the sake of retaining his place; if he oppose the administration, he is regarded as ungrateful, as cursing the hand that feeds him, and so has little influence. That administration cannot be very oppressive, which keeps men in office who use their best exertions to overthrow it. In a word, an office-holder taking part, as a citizen, in politics, goes out before his fellow-citizens under disadvantages rather than advantages, and can rarely, if ever, exert with the mass his legitimate share of influence. There is then no need of Mr. Tyler's rule.

The evil does not lie here, but elsewhere. It lies not in any interference of the officer, as a citizen, but in his *official*

interference. No office-holders, except such as have patronage to bestow, can cause any portion of the evil; and those who have patronage to bestow, cause it not by voting, writing, or lecturing, but by bestowing their patronage, not with reference to fitness for office, but with reference to services rendered or to be rendered to the party. A collector of the customs, for instance, brings his office to bear on elections, when he appoints to office, or removes from office, with reference to these services. His duty is to select his officers with sole reference to the public service, and he transcends the line of his duty when he has reference to any thing else. Other things being equal, he may no doubt select his personal or political friends in preference to those who are neither the one nor the other; but he interferes officially, whenever in his appointments he leaves it to be understood that the persons appointed, in addition to faithful officers, are to be also active partisans; or when he removes a faithful and efficient officer, who is not an active partisan, and appoints to his place one who is. The supreme executive, however, causes the chief part of the evil, and is guilty of direct official interference, when, on his accession to power, he removes from office those who had opposed his election, and fills their places with the most active and least scrupulous of his partisans.

The real cause of complaint seems to us to lie in the fact, that a change of administration involves a general change of office-holders throughout the country. Not because one set of men are turned out and another set put in, for in this alone we see no great harm; but because so long as it is so, office-holders must feel that their chance of retaining their places depends solely on keeping their party in power; and because office-seekers,—a much hungrier and more numerous herd,—must see that their chance of obtaining office depends on ousting that party, and putting in another. The effect of this is to bring into our elections elements which should always be foreign to them; is to make them contests for place, perhaps even more than for principles. Here is the evil. These removals, which make so much noise, do not disturb us; the public good is rarely promoted by keeping a man in office, who would be essentially injured by being removed. But any policy on the part of the administration, which has a direct tendency to bring personal and selfish considerations into our elections, should be avoided as much as possible. The stability of popular

institutions, in a great measure, depends on the purity of elections, and on making them contests for principle, and not for place. On this point the late presidential campaign should read us an instructive lesson,—a lesson which should be all the more deeply impressed on our minds, and hearts, from the fact that a righteous Providence has already taken to their reward several of the prominent actors in it. The country can bear much, but not the frequent repetition of the scenes enacted during the last year by the present dominant party. Such demoralizing scenes as they enacted to the bacchanalian shouts of "hard cider," and "log-cabins," are poorly atoned for by their present extraordinary pretensions to piety and virtue. Mr. Tyler may well call upon the country to fast, not indeed because an infirm old man, who had filled up his three score years and ten, has been removed from a post for which he had scarcely a single qualification, but for the arts his party resorted to in order to win their victory, the falsehoods they circulated, the deceptions they practised, the low and sinister motives to which they appealed, and by which they were governed. A few more such victories, won by similar means, and it will be time for even the most sanguine among us to begin to despair of the republic.

We pretend not to say that the desire to obtain office led to all the extravagant and mischievous proceedings, by which the present dominant party succeeded in raising itself to power. There were other and more powerful causes at work; there were men who wanted not the government so much for the sake of office, as to aid them in their speculations, to pay their debts, and raise the price of stocks lying dead on their hands. Here were the more active causes of that disgraceful scramble, which will hand down the name of Whig to everlasting infamy. Still the love of office had its influence, and served to swell the tide of corruption.

The remedy, the means of separating the scramble for office from our election contests, is far from being easy to find, or to apply. It may perhaps be found, to some extent, in lessening the emoluments of office, so that they shall not be worth scrambling for. This would do somewhat. If office-holding should, in a pecuniary point of view, fall below the general average of business, so as to demand a sacrifice on the part of the officer, it would not be sought after. But in this case could offices be filled by men worthy to hold them?

In addition to this, if consistent with an efficient executive, which we must always have, and with which we must not dream of dispensing, we may make the appointing power and power of removal the same; that is, in all cases, where the consent of the senate is necessary to complete the appointment, it shall be necessary to the removal. The president should have only the power of suspending, during the recess of the senate, such officers as may be unfaithful, inefficient, or incapacitated. For ourselves, we incline to the opinion, that the power of removal is incident to the power of appointing, and should be so regarded.

Furthermore, we might make all appointments for a term of years fixed by statute, and all officers during that term, —excepting those whose political opinions necessarily have a direct bearing on the administration,—irremovable, except for causes previously specified by law. The end we aim at is preventing a change in administration from involving any general change in the incumbents of office; to get rid, in a word, of the "spoils" principle, and with it the influence which love of office now has in our elections. If this be desirable, as we hold it is, we see not how it can be done without taking away a portion of the discretionary power of the executive. As a first principle in political science, we should leave the executive as little discretionary power as is compatible with its efficiency. These two measures would take away the greater part of its discretionary power, not over appointments, but over removals, and give to the office-holder, so long as faithful and efficient, a certain independence of the administration. This would add much to the dignity of office-holding, and enable us to fill public offices with men of worth and independence, men who are reluctant to take an office, when they know that the first revolution of the political wheel may throw them out. In the ordinary course of events, offices could not all become vacant at once, but successively; consequently, a change of administration could not involve the general change we have complained of.

The term of years should unquestionably be short, not exceeding four years at most, because all offices ought to be frequently vacated, so as to prevent the growth of corruption, and to give the appointing power an opportunity of making such changes in regard to their incumbents as the public good may seem to require. New appointments, however, should be made at the pleasure of the appointing

power, from the old incumbents or from new applicants. In this way you secure the advantages of rotation in office, without its odiousness and want of legal sanction. Embody always in law that public opinion which you would have reign.

These two changes, it strikes us, will prove an effectual remedy for the evil we have pointed out, so far as in the nature of things a remedy is possible; and against them we are unable to discover any insurmountable objection. No doubt the members of the cabinet and the principal fiscal officers should entertain similar views with those of the president, but these would in general be men who would resign in case of any wide discrepancy of opinion between them and the executive; if not, make them an exception to the general rule. So far as it concerns the great mass of office-holders, it matters not to the public, though it may to party, what their political opinions are, provided they are good officers; and good officers they may be, with one political creed as well as with another.

Some of our friends fear that these changes would impair the efficiency of the executive; if so, they ought not to be adopted. But unless we would have despotism, we must place some limit by law to the executive power; and no limit would, in our judgment, be too strict that would leave it room for the prompt and faithful execution of the laws. The inability to remove a faithful and able officer for a mere difference of opinion, when that difference could not interfere with official conduct, it would seem need not impair executive efficiency; and beyond this we do not propose to go.

Others, again, object to the interposition of the senate in removals, on the ground that the senate is an aristocratic body, and we ought therefore to be on our guard against swelling its importance, or enlarging the sphere of its action. We do not sympathize with them either in their views of the senate, or in their fears of the aristocracy. We never, if we can help it, suffer ourselves to be misled by mere words; and these terms, *aristocrat* and *democrat*, have been bandied about so much, that they now stand for any thing or nothing, according to the temper of those who use them.

Ever since the senate had the audacity to place itself in opposition, on certain occasions, to General Jackson's administration, it has been, with some, a mark of democracy to stigmatize it as an aristocratic body. We are sorry to see

this, as it evinces a tendency from which we have much to dread for our liberties. The nature of all popular masses is to make war upon whatever interposes an obstacle to the immediate realization of their projects. If their favorite executive finds an obstacle in the senate, then it is, down with the senate; if a favorite legislature is frustrated in its attempts to carry some popular measure, by the executive veto, then it is, down with the veto; if the cry of liberty is up, and men are bent upon freeing the slave, but find the constitution in the way of the kind of action they would adopt, then it is, down with the constitution; human rights are older than constitutions, and shame on the coward, who would be deterred from vindicating them by fear of a piece of musty parchment.

This is a dangerous tendency, and the one against which we should always be on our guard. The institution we would sweep away, because it is unfavorable to the realization of the project we have at heart to-day, may turn out to be the only institution by which we can realize the still dearer project we may entertain to-morrow. The senate, which interposes a barrier to-day to a popular executive, and therefore seems to be aristocratic, may to-morrow interpose a barrier to executive usurpations. This tendency, we speak of, is encouraged by many good men, because they confound what should always be kept distinct—popular sovereignty and the freedom of the citizen. They call alike democracy, the absolute sovereignty of the people, and the maintenance of the individual citizen in all his natural rights. Their theory is, establish the first, and the second is secured. Hence, whatever opposes in any instance the popular sovereignty is termed by them aristocratic, and unfavorable to liberty. We repeat to them what we never cease to repeat, and what we have ever occasion to repeat, that *between popular sovereignty and individual liberty there is a wide difference; and that to clear the way for the free, unobstructed dominion of the people as civil society, is but clearing the way for anarchy or despotism.* The people, as a body politic, are as supreme in this country as they ought to be. The liberty we should now struggle for, is not, strictly speaking, *democratic* liberty, that is, the liberty of the people, but individual liberty, or securing to each and every citizen the free and full enjoyment of all his natural rights. And this is to be done, not by shouting "aristocracy," or "democracy," but by wisely organizing

the state, so that it shall have no power to encroach on the individual, but be always able and obliged to protect him. Liberty with us is to be carried out, not by the heavings to and fro of a lawless mob, but by the orderly workings of constitutional government. In this country we are permitted to seek no reforms but in accordance with and through constitutional government. Our first duty to liberty, to the inalienable rights of man, is to establish and maintain constitutional order. Consequently, every attack we make on the sacredness of constitutions is a stab at the very heart of liberty.

With this view of the method we must adopt to promote true liberty, we cannot view with indifference the attacks which some of our friends make on the senate. The senate is unquestionably a conservative body, and wo to the state that has not somewhere in its organization a conservative body. Without the conservative element embodied in the senate, our federal government would soon fall to pieces. The senate represents the states, in their sovereign capacity, and tends to preserve their independence. It no doubt now and then serves as a check upon the will of the majority; but this is one of its recommendations. It preserves the government from yielding to every burst of popular passion, and from being swayed by every undulation of popular caprice. It therefore gives stability and something of systematic unity to the action of the government.

The senate is an essential part of the federal constitution, and unless we would destroy the constitution itself, we should beware of throwing suspicion on it. For our part, we are satisfied with the constitution as it is. It is to us a miracle of wisdom. We see clearly the hand of Providence in it, and we have a sort of religious veneration for it. We do not believe it needs amendment, or that we are capable of amending it. The less we attempt to alter or amend it, the better will it be for us, and for all who are to come after us. Let us encourage then no disparagement of any of its provisions. Let us take it as it is, and make it the guide of our political action; and therefore let us leave the senate standing. Destroy the senate, and the independence of the states will fail to be recognized, the American community will become a consolidated mass, whom whoso can may ride by the grace of God, as king or kaiser.

"But the senate is an aristocratic body." What then? Perhaps your state is none the worse for that. Solomon ex-

horted men in his day not to be religious over much; if he lived now, he could not fail to exhort us not to be *democratic* over much. We do little but scream democracy from morning till night, and from night till morning; and those of us who scream the loudest are by no means the truest friends to real equality. Aristocracy is a natural element of every society, and should be recognized in every state, unless we mean by aristocracy institutions or doctrines, which create artificial distinctions between man and man, subordinating the many to the few. Whatever opposes the maintenance of all the natural rights of every citizen, should be opposed; but we are aware of nothing in the senate, either in its constitution or the mode in which its members are selected, that makes it in the least more hostile to these natural rights than is the house of representatives; nor do we discover that the senate has ever shown any more disposition to abridge the natural freedom of the citizen, than is commonly shown by our state legislatures. We believe some of the most distinguished advocates of equal rights the country can boast, are to be found at this moment in the senate. If such men as Mr. Calhoun, Mr. Walker, Mr. Wright, Mr. Buchanan, Mr. Benton, not to mention any more, are aristocrats, where are our democrats, in any sense in which it would not be a misfortune to be a democrat? It will hardly do to call a body, of which such men as these are leading members, aristocratic. That aristocracy which consists in the possession of eminent talents, in being distinguished by the performance of eminent services to one's country, is honorable, not censurable, and deserving of confidence, not distrust.

But we close. We have introduced this objection mainly for the purpose of protesting against the tendency in our community of which we regard it as one of the symptoms. We would warn our countrymen against this tendency—a tendency of which they who are governed by it are in general unconscious. With this, we leave the suggestions we have thrown out, to go for what they are worth.

THE PRESIDENT'S MESSAGE.

[From the Boston Quarterly Review for July, 1841.]

The present is the most important and interesting crisis that has occurred in our political affairs, since the adoption of the federal constitution. Governments, as individuals, are rarely able to extricate themselves from the fatal consequences of their primitive mistakes. But our government is now in a condition to do it, to abandon its past errors, and to assume a new direction, one in harmony with the constitution and the true interests of the confederacy.

The existing administration came into power under the most favorable circumstances. It had not to incur the odium of breaking down the fabrics of past error and folly; for they had been demolished by the two preceding administrations, which for doing it had been driven from power. The ground was then already prepared to its hand; a glorious opportunity was given it of redeeming the country, and of securing it the blessings of good government. But from the first we have been compelled to ask, will this new administration prove equal to its position? Is it composed of men of enlarged and patriotic views, who can comprehend what is demanded of them,—of pure minds and pure hearts, who will not shrink from doing whatever is necessary to be done? Will they put the government on the right track, in the direction pointed out by the lights of fifty years' experience, and by the wants of a great and growing empire?

We asked these questions, we own, not without some misgivings; but we resolved to repose "a generous confidence" in the new administration, and hold ourselves in readiness to give it a cordial support, if it should prove itself at all worthy of the high trust committed to its charge. We have, therefore, waited not without anxiety, for a development of its policy. That development to a certain extent, we now have in the message before us; and we must say, that all our doubts are confirmed, and nothing, but the weakness of the document itself, saves us from the fear that the most fatal measures will be fastened upon the country.

From General Harrison we had never hoped for aught

remarkably sound in policy, or vigorous in execution, and we were not surprised that the Goddess of Liberty dropped from her hand the scroll of the constitution as he approached the capitol. · But him an all-wise Providence early removed, and we may not, therefore, speak of him, as we might were he still living and at the head of the government. We are not his judge; we will not be his accuser; and we have seen nothing in his official career to make us his eulogist. He is gone, and while many weep, we say, peace to his ashes. We will merely add, that we think our clerical brethren, who have recently flooded the land with their fulsome eulogies, might have been as well employed, had they remembered that it is their especial vocation to rebuke sin and praise only God.

From Mr. Tyler, however, we own, we hoped something more. We had been accustomed to regard him as a faithful disciple of the old Virginia school of politics, as a strict constructionist; and, though perhaps not a man of the highest order of intellect, as capable of appreciating a wise policy, and possessed of the moral firmness to sustain it. It was not then without some degree of satisfaction, that we saw him at so early a day placed, by the death of the president, at the head of the government. We felt that now the constitution would be safe, and that if all the good we wished should not be effected, at least the evils we most dreaded would be averted. We would fain feel so still; but this message puts it out of our power, and compels us to regard him as one of those men, whose apparent size diminishes in proportion to the height they are elevated.

The only redeeming trait of the message, as we have already hinted, is its imbecility; but imbecility placed in certain positions never wants the power to do incalculable mischief. The policy it develops is, with but slight modifications, the very policy which has hitherto proved disastrous; and it will require the president to give his support to measures, which cannot be adopted without corrupting the goverment, and through that destroying the liberties of the people. If congress shall sustain this policy, as we fear it will, the government will be placed in the same false direction that has hitherto defeated the intentions of its founders, and which it must, without the interposition of Providence, pursue for at least another half-century; and before another half-century can elapse, the country, under the influence of a mischievous policy, will be lost to liberty;

the few will become so wealthy, the many so poor, and all so corrupt, that Freedom will disdain to dwell among them.

The message is not very explicit, nor very consistent with itself; but we can make out, we think, its dominant tendency, and its principal recommendations. One of its recommendations is the repeal of the Sub-Treasury. On the policy of what is called the sub-treasury we have heretofore given our views at length, and will not therefore go into its discussion again. Nothing since the passage of the law has occurred to change our views of the policy on which it is founded, and we were not a little gratified to find that Mr. Tyler himself had nothing to allege against it, but the very questionable fact, that the people, in voting for General Harrison, stamped it with their disapprobation. But the people, in our judgment, have not decided against the sub-treasury. The party, which may be thought to have voted against it, did not vote against it in fact, for they were, so far as the immense majority of them were concerned, as innocent of any acquaintance with it, as the babe unborn. It was, during the presidential canvass, no uncommon thing to find a zealous Whig declaiming against what he called the sub-treasury, but it was an uncommon thing to find one that had even read the law establishing it. The fact is, our Whig friends, during the late presidential canvass, drank too much hard cider, and were too busy in hurrahing for "Tippecanoe and Tyler too," to be able to investigate at all the policy on which they made war. That presidential campaign is a curious passage in our history, and will perhaps be read with some interest by the grand-children of those now in power. We are happy to find that the men, who a year ago sang the praises of hard cider, and encouraged scenes of midnight revelry, are now the ardent friends of temperance, and have set themselves at work, in right-down earnest, to reform the inebriate. This augurs well, and foretells other conversions. After a night of debauch, men are frequently disposed to be moral, and do sometimes "fast and pray."

Another measure recommended to congress is the establishment of a "fiscal agent" of some sort, which shall aid the government in collecting and disbursing its revenues, and establish a currency of uniform value. What this "fiscal agent" is to be, we cannot at the moment of writing conjecture. It is not to be a revival of what was called the "pet bank system," for that, the message tells us, the

people have condemned; nor a United States bank, for that also the people have unequivocally condemned. What, then, is it to be? It must, we presume, be some kind of a bank, and a bank of issue too; for one of its offices is to be that of establishing a currency of uniform value.

As a fiscal agent we see not its necessity. The government has now, it would seem, as many agents for collecting and disbursing its revenues as the people ought to be called upon to support. Very few of these will be dismissed, whatever new agent may be created or adopted. It will, then, be only an additional burden to be borne by the people, —a new agent for plundering them, and all the more efficient, because it may plunder them without their being able to say, in all cases, when, where, how, or how much it plunders them. Is this its chief recommendation? There are politicians whose chief merit consists in their skill to devise ways and means to tax the people, without suffering them to know that they are taxed; but we would fain hope and believe that the president is not ambitious of being classed with these. These politicians would take to themselves great credit if they should repeal the sub-treasury, and thus save an annual expense of some twenty-five thousand dollars now paid out of the treasury, though in its place they should establish a "fiscal agent," that should take annually a hundred thousand dollars from the pockets of the people. The reason of this is obvious. The twenty-five thousand dollars are paid out of the treasury; but the one hundred thousand, though paid, are not paid out of the treasury. In the first case, the people see and know that they pay, and how much they pay; in the last case, they pay, but without knowing how much, or suspecting in fact that they pay any thing all. Banks are expensive things, and their expenses must be born by the people. We must know, then, how much this new fiscal agent will cost,—not the government merely,—but the people, before we can decide whether it will cheapen the expense of collecting and disbursing the revenues.

As concerns the establishment of a currency of uniform value, we must be assured that we have not such a currency already, before we can see the need of instituting this new fiscal agent. We have heard people talk about "the derangement of the currency," but in point of fact there is and has been no derangement of the currency. The eagle, half-eagle, quarter-eagle, dollar, half-dollar, quarter-dollar,

dime, and half-dime, are, we believe, of uniform weight and texture throughout the Union at the same value. There is no derangement in regard to these. Is there any thing known to our constitution and laws as money, as currency, except gold and silver? Everybody knows that the money, the *currency* of the country, is exclusively metallic, and this currency has suffered no derangement. It is sheer folly, then, to talk of a fiscal agent for the "establishment of a currency of uniform value."

"But the paper money,"—Stop there, if you please; we know not the article. There is, and can be, under our present constitution, no such thing in this Union as paper money. "But bank-notes." Ay, bank-notes are, no doubt, of unequal value in the market, and so are the notes of individuals. Bank-notes are not money, but mere evidences of credit, paper securities, and we know of no possible means of preventing them from obeying the general law to which all paper securities are subjected. The credit enjoyed by bank-notes will be very much in proportion to the confidence the community has in the banks themselves, and their means of redeeming their obligations, when and where the holders of them may desire. The proposition to establish a currency of uniform value, in the meaning of the message, is to establish and maintain the uniform value of bank-paper,—a matter as difficult as it would be to make the note of the editor of this journal, for ten thousand dollars, pass as readily and for as much in the market, as a note of Messrs. A. & A. Lawrence for a like sum.

But suppose the thing be not in itself impossible, how will this fiscal agent affect it? Will it receive at par, in payment of government dues, every species of bank paper, without reference to the character or means of the bank issuing it? So bold a proposition as this, we can hardly persuade ourselves any administration, though composed even of the late officers of the United States Bank of Pennsylvania, or their intimate friends and retainers, would for one moment entertain. Moreover, this would not prove effectual, if done. It would but remotely affect the credit of those banks situated at a distance from the points where the principal portions of the revenue are collected; and it could affect the credit of no bank-paper beyond the proportion the government dues bear to the whole indebtedness bank-notes would be used to discharge. All the dealings of the country are not with the government, nor the principal

part. Consequently, the simple fact, that bank-paper is made a legal tender in payment of government dues, has never yet been sufficient to keep it from depreciating.

But perhaps it is to do it as a bank of exchange. As a bank of exchange, we can easily conceive it may be so arranged that its drafts shall be accepted at par throughout the Union. But, if the ordinary bank-paper circulating where the draft is purchased, be below the value of the paper circulating where the draft is payable, the bank will charge the difference. In other words, if the bank-notes which circulate at Charleston be three per cent below the paper of the Boston banks, the banks will not sell to a man in Charleston a draft on Boston, for Charleston paper, without charging three per cent in addition to the regular exchange. And this is precisely what would be the case, were the draft purchased of the private dealer. The late United States Bank rarely furnished domestic exchanges at a lower rate than they could be obtained elsewhere. If I have the specie at Charleston, then of course I can make my payment at Boston without subjecting myself to the three per cent discount. Then the bank will merely charge me the regular exchange, which will be a discount or a premium, according as the balance of trade is in favor of one place or the other. At most, the charge cannot exceed the expense of transporting my specie funds from Charleston to Boston. And this is precisely the case now. The exchanges are as easy now as they ever were, and easier too, owing to our increased facilities of transportation. We saw exchange on Savannah, or Augusta, Georgia, we forget which, quoted a few days since at thirteen per cent. If a man wished in either of those places to make a payment in New York, and had in his hand the specie with which to make it, would it cost him thirteen per cent to purchase a draft on New York? Of course not. The difference of exchange is the difference between the value of the paper with which he would purchase his draft, and specie where his debt is to be paid. This difference the bank, as a bank of exchange, cannot get over. We know no law of trade by which it could afford to take depreciated paper at par. Perhaps, however, our Philadelphia financiers do, and will therefore enlighten us.

Nor will it make any difference if the notes of the bank be used instead of drafts. Admit the notes of the United States Bank should be of uniform value throughout the

Union, the difficulty would not be removed. For the notes of the bank must be paid for, and the debtor must pay for them, either in notes of other banks or in specie. To do it in specie will not, with a paper circulation driving specie out of the country, or locking it up in the vaults of the banks, be very convenient. They must then be paid for in the notes of other banks. But these notes are below par. Can the bank then take them at par? How long could it keep its own notes at par, if it received in exchange for them depreciated paper? If its notes could be bought up at par with this depreciated paper, for the purpose of making distant payments, it would soon be obliged to stop issuing its notes in all sections of the country, where the ordinary circulation was below that in the other sections.

Nor is this all. Suppose payments are to be made in the notes of the bank. These notes would be scarce in the debtor sections of the country, and abundant in the creditor sections. In the first they would inevitably bear a premium, and in the second be at a discount. Their own uniform value could not be kept up in spite of the balance of trade. So, whether we look at it as a bank of exchange, or as a bank of issue, we see not how it can keep the paper securities of equal value throughout the Union. It certainly cannot do it, unless it drives all other bank paper out of existence, and then its own notes will vary as you pass from a debtor to a creditor section.

But perhaps it is to maintain the uniform value of paper securities, by the control it will exercise over the issues of the state banks. This control can never be complete. In order to be complete, it must at all times have on hand enough of the paper of the state banks to crush them, whenever it should demand its redemption; which would imply that these other banks were doing a large amount of business, while it was doing the whole. The extent of its control over the issues of the state banks can never exceed the amount of their bills, which it in the ordinary course of business would have on hand. This can never be more than a small proportion of the whole amount they keep out. If it is meant that it shall do the whole banking business of the country, that is one thing; then we need not talk about its check on the issues of other banks. If it is meant merely that it shall prevent the over-issue of other banks, it can do it to no greater extent than we have stated. The principal control in this case, which it would exercise, would

be over the issues of a few banks in the large commercial cities, but it would rarely be more than these now exercise over one another; and by making common cause with them, it could much increase their and its own over-issues.

But enough of this "fiscal agent." Paper securities must be left to themselves, to follow the invariable laws of trade. Our error has been, not in suffering them to be used, but in attempting to give them an artificial value, and in confounding them with *currency*, which they are not, and never can be. What the advocates of the bank want is not a currency of uniform value, but some contrivance for dispensing with currency altogether. They know what we all know, that credits up to a certain point extinguish credits; they, therefore, wish to make them do it wholly, so that no balance shall ever accrue, to be paid off in money. But the fluctuations in trade between different sections of the same country, between different countries and different quarters of the globe, fluctuations in the affairs of individuals, deaths, casualties, losses by sea and land, fire and water, fruitful and unfruitful seasons, a thousand causes not necessary to enumerate, render this impossible in the present state of society and the world. Balances between man and man, city and city, country and country, will always accrue, which must be paid off before extinguished by the revolutions of business. Credits, and evidences of credit, will always therefore vary in proportion to their real or supposed power of commanding money, when and where wanted; and this fact proves beyond all cavil the impossibility of maintaining over any considerable extent of territory, in a highly trading community, a uniform value to paper securities, to bank notes, which are after all nothing but evidences of credit. The only wise course for the government is neither to authorize nor to prohibit their issue. It should leave all species of paper securities to go for what they will fetch in the market; and, except so far as to guard the individual against fraud, and to enforce contracts, it should in no way or shape recognize their existence. While it leaves individuals free to exchange credits to as great an extent and on such terms as they can, it should collect and disburse its own revenues in money, in that which is recognized as money at home and abroad.

But we feel no disposition to renew the war against the bank. We have no faith in the banking system; we believe it necessarily false and mischievous; but the time is past

when it was necessary to labor to destroy it. It is destroying itself full fast enough. Its doom is sealed, and there is no power in this country that can save it. The great mass of the laboring class are opposed to it, and, what is perhaps more to the purpose just now, a large proportion of the creditor class of the country are opening their eyes to its true nature. Only the debtor class, a class composed of desperate men, because in desperate circumstances, are now much in favor of it. But we trust the government will prove itself too wise and patriotic to labor expressly for these. The government always commits its most fatal errors, when it attempts to legislate for the relief of debtors. It follows, it may be, a generous sympathy, but departs from inflexible justice, and ruins itself and country.

But with the influence of the creditor class and the laboring class, both of whom are interested in a sound system of finance, opposed to the banking system, it cannot long survive. No scientific state physician will attempt to restore it. Some quacks may try experiments upon it; steam it, administer it cayenne and lobelia; for they know that if the patient dies, they will lose nothing in reputation, since they can always say, it died because killed by "the regular doctors." Doubtless we shall find many ready to revive the system but they had better prepare to write its and their own epitaph. When a system is seen to fall to pieces by its own weight, it is folly to attempt to save it.

In connection with the establishment of a fiscal agent for the government, the message proposes the distribution among the states of the proceeds of the public lands. This is the pet measure of the party now in power, as the country will be able to see before this number of our journal issues from the press, and the one on which it has staked its very existence. Without this measure all its financial schemes will fail, and it will be unable to fulfil, even in appearance, any of the promises it made while soliciting the suffrages of the people. Without this measure, it could hardly put a bank in operation were it to charter one. In these times of bank failures, bank suspensions, and of widespread and deep-rooted hostility to the banking system, a bank needs some solid capital as the basis of its operations. This capital just now can be obtained only from the government. Our capitalists have no money they wish to invest in the stock of a new United States bank, and foreigners, after the developments of Mr. Biddle's bank, will be slow

to take stock in another bank of a kindred character. Where, then, is the capital to come from? Government must supply it in the shape of a national debt, or of scrip based upon the probable income for a series of years of the public lands.

The project is something more, we apprehend, than simply distributing the proceeds annually among the states as they come in. This sum would be too small to amount to any thing. An estimate will therefore be made of the amount likely to be derived from them for a series of years, and the whole amount be distributed at once in the shape of scrip to the states. This scrip will constitute a debt due from the United States, which can be funded, and made the basis of the bank. This, we apprehend, is what the president has reference to, when he speaks of making the proceeds of the lands the basis of the fiscal agency to be established. Of course, no one dreams of the possibility of establishing a new bank without first creating in some form a national debt. As distribution is to be the basis of the new bank, it is of course obnoxious to all the objections to which the bank itself is obnoxious.

Furthermore, this measure of distribution we dislike, because it is, say what you will of it, assumption, in principle, of the state debts. Its motive is assumption, as urged by Mr. Tyler himself. He urges it because a portion of the states are in debt, and if not assisted must resort to direct taxation, or sacrifice their credit. If there were no indebted states, nobody would bring forward, at this day, a proposition for distributing a portion of revenue among the states. It is the only shape in which anybody among us dares propose assumption. Assumption is unquestionably unconstitutional. The debts of the states incurred in their simple sovereign capacity, are their own, and the federal government has no more constitutional right to assume them, than it has the debts of Great Britain or France. This Mr. Tyler knows, and therefore repudiates the slightest approach to assumption. But can he not see that by distribution, he is doing indirectly, covertly, what he acknowledges he has no right to do directly, openly? How much more praiseworthy is a secret, subtle evasion of the constitution, than an open and manly violation of it? We hold, we confess, in no high esteem those politicians, who think that the only honorable way to proceed is always to adopt measures avowedly for one purpose, but really for another. Honest and patriotic statesmen never resort to artifice; what they cannot do in an open, direct manner, they will not do at all.

We oppose distribution, because it is intended, as far as it goes, as a measure of relief to the debtor interest. We protest against special legislation in favor of this interest. Debtors can be relieved by government only by taxing for their especial benefit, either the laboring class, or the creditor class, or both. Now, we do not understand the justice or the policy of laying a tax on labor, on industry, prudence, and economy, for the benefit of men who have outrun their means, and whose rash plans for growing suddenly rich have ruined them. The measure we are considering is proposed solely for the relief of the debtor states. Mr. Tyler says, "if distribution be not made in some form or other, the necessity will daily become more urgent with the debtor states for a resort to an oppressive system of direct taxation." The purpose, then, evidently is, to relieve the indebted states. Now, how is this to be done by distribution? The money distributed is collected from the people of all the states. If the indebted states receive, as their portion, no more than they had previously paid into the federal treasury, why collect it in the first instance? If more, the excess comes from the non-indebted states. The non-indebted states, that is, the states that have managed their affairs prudently and economically, are to be taxed to make up for the losses occasioned by the extravagance and folly of the others. Is this just? Is this sound policy?

The money to be distributed is revenue; it is so called by Mr. Tyler himself. This money has been collected from the people, at an average expense of thirteen per cent. If you distribute among the non-indebted states an amount equal to that which they have paid, you have of course no more to distribute among the indebted states than you had previously collected from them, minus the thirteen per cent, the cost of collection. Now, if you have so much surplus revenue, why not reduce your taxes, which would add to the means of the indebted states not only the surplus you propose to distribute, but the thirteen per cent they must pay for its collection; for the distribution, we take it, will cost five per cent at least, the average expense of collecting direct taxes. The people are thirteen per cent worse off, in these indebted states, after you have collected and sent back to them your surplus, than they would have been had you left the surplus in their pockets. Now, a system of financial operations occasioning a loss equal to this per cent is, in our judgment, worthy of adoption only with the financiers connected with the United States Bank of Pennsylvania.

The message calls direct taxation "oppressive." But if it were not for the system of *indirect* taxation that now prevails, the president would as soon think of setting fire to the capitol, as of bringing forward such a proposition as this of distribution. If the people knew what is the fact, that they have been taxed for the money, and have paid the money out of their own pockets, which he proposes to divert from the legitimate application of the revenues of the government, he would not dare propose the measure he does; nay, meditating such a proposition, he would not dare look a single tax-payer in the face. We have no right to presume the ignorance of a chief magistrate of the Union; we are bound, in courtesy, at least, to suppose that he comprehends the principles and measures he supports. We have, then, some difficulty in accounting, as we would, for his extreme horror at direct taxation, though it is resorted to by every member of the confederacy. Is it because he knows that where direct taxation is resorted to, there is a limit set to the extent to which the people can be plundered? that the people, if they know when and how much they pay to the government, will demand of it what it does with the money it collects—a demand it, or its managers, are not always over and above willing to comply with? that, if not the most honorable, yet the safest way to plunder a man is not to meet a man in the highway in open day and cry "Stand and deliver," but to come upon him in the crowd, or when he is asleep, and pick his pocket, when he can neither see who you are, nor defend himself? We should hope not.

The measure is censurable, because it strikes at the independence of the states. Mr. Tyler contends for state rights, and he even counts so far on the simplicity of the American people, as to allege that the doctrine of state rights demands this distribution. The doctrine of state rights, we had thought, meant the entire sovereignty of each of the states composing the Union. In adopting the constitution no state parted with its sovereignty, nor any portion of its sovereignty. The Union is not a sovereignty, has none of the attributes of sovereignty. The sovereignty adheres in the states, and the federal government is merely an agency which the states have established by mutual compact, for the management of certain interests common to them all. It is not supreme over the states, but they are supreme over it. Now, whatever tends to convert this agency into a sovereignty, whatever tends to give it a control over the

states in their separate capacity, or to render them dependent on it, or subservient to it, interferes with what we understand by state rights, and tends to destroy the independence and dignity of the states.

The states have made the federal government their agency for those interests which they all hold in common. In their individual character, it has no concern with them. They assess their own taxes, contract and pay their own debts, and carry on their own schemes of internal improvement. What they do in these respects, saving and excepting the matters they have placed by the constitution under its control, comes no more under the cognizance of the federal government, than what is done in France, Italy, or Turkey. What should we say, if the president of the United States in his annual message should recommend the setting apart a certain portion of our revenues for the payment of the debts of France or Great Britain? Should we not say that he was travelling out of the record, going beyond his commission? Would he be treating these powers as free and independent? Would he not assume a sort of guardianship over them? And suppose that these countries should accept the loan, and come to be pensioners on the American treasury, would they lose nothing of their independence?

The president seems to us, we are sorry to say, to proceed on the principle, that whatever is done indirectly is not done at all. The very proposition, to distribute the revenues of the Union among the states, is an assumption of superiority, of guardianship. It is saying that the states are incapable of taking care of themselves, and so we must take care of them. And when the states have accepted this guardianship, when they have become the pensioners of the federal government, we ask if their freedom and dignity are enhanced thereby? Has not the federal government subsidized them; is it not paying them a bribe to support it? They will then assume "an attitude lofty and erect," will they?

There are constantly occurring and ever will occur cases, in which state interposition in some form will be necessary to arrest the encroachments of the federal government. Nothing but the fear of this, on the part of that government, can be effectual in keeping it within constitutional limits. Will a state deriving from it the means of defraying its own expenses, a pensioner on the federal treasury,

be free to interpose its state sovereignty? Nay, will it not, by all the force of the bribe it receives, be induced to enlarge the powers of the federal government, to extend its jurisdiction, in the hope of deriving from its action a larger share of plunder? The moment you make the states pensioners on the bounty of the federal government, you destroy the balance between the states and the Union, and give to the centripetal force an overwhelming power. How, then, can Mr. Tyler recommend this measure as favoring the independence and dignity of the states? The reverse of his pretension is the truth.

Nor is this all. Mr. Tyler goes for an economical government. So far so good. He must know, for he has been educated in an orthodox school of politics, that the party, to whom the government pays out what it collects, is always a plunder party, that its constant study is to devise ways and means for taxing the people to the greatest possible extent; for the more the government collects, the greater the amount to be shared among them. The greater the amount to be shared among them, the more wasteful they become, the more corrupt and remiss in the discharge of their duties; consequently, the more corrupt and oppressive must be the government, the more prodigal and extravagant in its expenditures. Now, then, is it sound policy to bring forward a measure, which affords a specious pretext for raising the taxes, and therefore enlarging the amount to be shared by the plunder party? This party cannot be satisfied with the amount they can derive from the people for the support of the federal government, nor by the agency of the state governments, so they must make the federal government an agent for collecting taxes for the states, well knowing that they and their friends will share the plunder. Is this the way to secure an economical administration, and to make its burdens as light on the people as possible?

Nor does the corrupting influence of this measure stop with the government; it reaches to the ballot-box. Mr. Tyler needs not to be told, that the people will pay much more in indirect taxes than they will in direct; we need not tell him, that the money they will receive from the federal treasury will seem to the mass of them so much clear gain, although it has cost them thirteen per cent more than it would to have paid it directly in to their own state treasury. This *gift*, as they will call

it, from the Union, will appear to them to lighten their state taxes; because this was collected by indirect taxation, and state taxes are for the most part collected by direct taxation. Now let a man come forward and propose to repeal the law distributing federal revenue among the states, and he will not be able to command a respectable minority. His proposition will strike the mass like a proposition to impose an additional tax on them, to the amount received by distribution. The party in favor of continuing the policy of distribution, then, can always command a majority at the polls. They have bribed the states, bribed the voters, and can therefore plunder to their hearts' content. This, we trust, is not the *reform* we were told to expect from the new administration; nor is this what was to prepare the way for those better times we were promised.

This measure, again, it is evident, cannot be adopted without resorting to a loan or to increased taxes. Mr. Tyler tells us the revenues for the present fiscal year, including the income from the public lands, will fall short of the expenses some eleven millions of dollars or more. Of course, then, distribution is not to take effect on an overflowing, but upon an exhausted treasury, to be made not out of a surplus, but out of a deficit. But he tells us that the distribution ought not to take effect unless it can without "imposing on commerce greater burdens than those contemplated by the act of 1833." This at first would seem to be a recommendation, that the measure should not be adopted unless it can be without resorting to increased taxation. But Mr. Tyler does not mean this; he merely means that it ought not to take effect unless it may without increasing the taxes from what they now are beyond the twenty per cent ad valorem duty, contemplated as the maximum by the Compromise Act. He does not oppose the laying of duties on articles, such as wines and silks from France, now admitted free of charge, nor to increasing the tariff of duties on all articles now admitted below the twenty per cent maximum. He therefore leaves ample scope for additional taxation. Now a measure requiring an express resort to taxation for other purposes than to meet the wants of the government, looks to us wretched as policy, and wicked, when we remember the constitution of the United States. Mr. Tyler knows that the income from the public lands is revenue, for he calls it so himself; and he knows, if he will read the constitution, that congress has no authority to raise a revenue for the purpose of distribution.

By distribution a pretext is obtained for raising the tariff, and ostensibly for the purposes of revenue; but since Mr. Tyler admits in his message the principle of discriminating duties, we may see that at the bottom of all this policy, our own old enemies, the advocates of protection, are at work. The scheme of distribution is resorted to, first, for the purpose of obtaining a basis for a United States bank; second, for the purpose of raising the value of state stocks, and enriching those who have purchased them at a low price; third, to afford an opportunity to raise the tariff, and enable the manufacturer to obtain additional advantages over the producer; lastly, to provide the ways and means of making the government a more efficient agent for plundering the people for the benefit of speculators, stock-jobbers, contractors, officeholders, and their friends; in a word, the party to whom the government pays out directly or indirectly what it takes from the mass. Whether the scheme will succeed or not, it is impossible for us to say at this moment, though perhaps it may be told with tolerable certainty before what we are writing reaches the public eye.

There are several other points in the message we should gladly touch upon, but we have not the room to do it. All we can say in conclusion is, that it is a dark day for the confederacy, and no true patriot can look forward without fear and trembling. The enemies of true liberty are in power, and apparently able to do what they will. But the friends of freedom, of just government,—true enlightened patriots, though in the minority, are neither few nor weak. They will acquit themselves in the contest as men; what men may do, they will not leave undone, and if they fall, it shall be Antæus-like, to rise renovated and reinvigorated to fresh combats. To the minority in congress we now look, and bid them remember, that they are now called on to defend constitutional freedom, and also that they are on the side of truth, justice, humanity, and a righteous God, whose providence suffers nothing to escape it, will not permit their labors to go unrewarded.*

*We have in this and the foregoing article spoken in strong terms of the policy the president has seemed to us to recommend. It may be that we have charged upon him the policy of his party, and assumed that he will support measures which he will finally oppose. If so, we shall be glad, and shall be ready to do ample justice to him; for we have always heretofore had a high respect for his character and views.

THE DISTRIBUTION BILL.*

[From the Boston Quarterly Review for January, 1842.]

Nothing can more forcibly demonstrate the utter recklessness of power, or the total disregard of constitutional restrictions, by a factious majority, having a favorite measure to carry, than the passage, at the late extra session of congress, of the bill for distributing the proceeds of the public lands among the states. A bolder assumption of power, on the part of the general government, was never attempted; and a measure more directly in violation of the very letter and spirit of the constitution it is impossible to conceive. And yet distinguished statesmen advocated it, a majority of both houses of congress recorded their votes in its favor, a conscientious president, laying great stress upon the sanctity of his official oath, sworn to preserve, protect, and defend the constitution, gave it his approbation; nay, recommended it, and it has become the law of the land! We hardly know what to say or think of so astounding a fact! It were sheer simplicity, to imagine for a moment, that the intelligent men, who voted for it, were not perfectly aware of its being altogether unauthorized by the constitution. There are some matters so plain that men can come to but one honest conclusion concerning them; on which an honest difference of opinion is impossible. The constitutionality of the distribution scheme is one of these matters. Men may perhaps honestly differ in their views of it, as a question of policy; but we cannot conceive it possible, that any one could for a single moment regard it in harmony with the constitution. How, then, account for the fact, that men, who hoped to be able to hold up their heads in decent society, and even to look their constituents in the face, could urge and vote its passage?

We can account for this fact only on the loose notions in regard to constitutional governments in general, and the constitution of the United States in particular, which have grown up and become prevalent in the community. We committed a serious error when we translated the word

Speech of Mr. Calhoun, of South Carolina, on the Distribution Bill, in the Senate of the United States, August 24, 1841.

republicanism by democracy. It was a grave error. Names are things. From our habit of regarding our institutions as democratic institutions, and ourselves as democrats, has originated a doctrine, false in itself, and which, if not soon corrected, will prove the ruin of our government and of our liberties. We may define words as we will, but it is impossible to make an arbitrary definition of an old word practically prevail over its popular and legitimate sense. Those of us who, in these times, call ourselves democrats, and adhere to the Democratic or present opposition party, mean, by a democracy, a government where the supreme power of the state is lodged in the people, and administered by the people, *in accordance with constitutional rules*, for the freedom and common good of all. So defined, democracy is worthy of all acceptance. But it is only in our closet speculations, that the word is ever so defined. This is not the old and legitimate sense of the word; nor that which obtains and will obtain in practical life. In practice, democracy will assume but one meaning,—a meaning which has passed into the axiom, "The majority *must* rule;" which again is always practically translated, "The majority have a *right* to rule."

Carry this doctrine, this practical democratic formula, into the legislative hall, and it is easy to predict its consequences. The majority are in favor of a given measure, obviously unauthorized by the constitution. But what then? The constitution represents only the will of the majority that framed it. The will of the majority has the right to govern; and the majority at one time is equal to the majority at another. The majority of the legislature is as much the majority of the people, as the majority of the convention that framed the constitution. It is, then, as supreme, invested with as much authority; why, then, shall it yield to it? Why is the dead letter of the constitution of paramount authority to the living majority of the people speaking through the voice of the majority of the legislature? The constitution, moreover, was framed for the general welfare. The majority are the sole judges of what is for the general welfare. The majority decide that a given measure is for the general welfare; it is then virtually a constitutional measure,—one of those measures for which the framers of the constitution would have provided in just so many words, if they had but foreseen its importance. What, then, shall prevent the sovereign authority,

the majority, in whom rests the right to govern, from adopting it? The majority that framed the constitution is necessarily merged in the majority of the legislature to-day; the two, then, are one and the same sovereign power; and shall this sovereign power be hindered from pursuing the general good by a few barren technicalities, a mere lifeless form of words? Out upon your "abstractions!" Just as if the constitution could be paramount to the people that made it!

To this fatal conclusion, the democratic theory of the country inevitably leads, when translated into practice. We say not that this is the conclusion to which the theories of the present opposition party inevitably lead, for we are perfectly aware that it is not; but it is the conclusion to which leads democracy, as practically understood by the country, and as it will be understood, in spite of all that can be said or done. This is the democratic doctrine of the majority; a doctrine boldly avowed by General Harrison, in his inaugural address; and acted on with a consistency and vigor commanding our admiration, by the leader of the Whig party in the senate of the United States, during the late extra session of congress. It is in vain to protest against this doctrine in the name of democracy, to declare that it is not democracy; and in vain that we offer definitions and resolutions. It *is* democracy, according to its legitimate meaning; it *is* democracy, in the only practical sense in which the word ever was or ever will be understood by the people at large. How long is it since the official organ of the Jackson party, at Washington, declared that "the only intelligible democracy is the democracy of numbers"? The *Globe* was right. There is no other democracy intelligible to the great mass of politicians even. The greater part of the men elected to congress are men who know little of the science of government; men unaccustomed to nice distinctions, and incapable of appreciating them. They pique themselves on being *practical* men, who do not believe it necessary to be expert in splitting hairs in order to be able to legislate for the common good. They eschew devoutly all abstractions; and so long as they adopt the maxim, the majority have the right to govern, all constitutional restrictions on the power of the majority will be to them mere "abstractions," beneath the notice of wise and practical statesmen, who legislate not for theories, but for the general welfare.

Wise and patriotic men may raise their warning voice;

they may plead the constitution as the authority under which they act; they may show the dangerous tendency of the "general welfare" doctrine; that it is an utter abandonment of constitutional government; that it removes all check on the sovereign power, and places all the rights and interests of the people, of minorities and individuals, at the mercy of the lawless will of an irresponsible majority,—inevitably leading to anarchy, oppression, and despotism; but all in vain. They will be answered, by the ruling majority for the time—"The people are the only legitimate source of power; they are the judges of what is or is not for the general welfare; we represent the majority of the people. Through us they demand these measures; and who are we to betray the trust confided to us, from regard to the selfish protests and declamations of a minority, whose foolish 'abstractions' the sovereign people have already condemned? If you no not like our measures, go and talk to the people, convert them to your 'abstractions,' if you can. We are responsible to them, and not to you. We shall obey the instructions they have given us; do the will of our constituents, of the PEOPLE, who have sent us here to act, not to theorize; to adopt great and essential measures for the relief of the country, and the general good, not to split hairs on constitutional abstractions with a few impracticable political metaphysicians." So always will answer the ruling majority, when is adopted, as the creed of the country, the practical democratic formula, "The majority have the right to govern." This is wherefore we say the American people committed a serious mistake in translating republicanism into democracy,—a mistake which we fear it is too late to correct. It has silently worked a radical revolution in our system of government,—a revolution unsuspected by some, and encouraged by others in the hope that it would tend to the advantage of the poorer and more numerous classes; but which has tended to strengthen and confirm the power of the wealthier and more influential minority. The word democrat has so long been the rallying word of the Republican party, it has become so endeared by past struggles, successes, and defeats, that it is now perhaps impossible to lay it aside, and reassume our old and legitimate name of REPUBLICAN. The politician, who should propose to do such a thing, would hazard his popularity; and though his whole life had been devoted to the welfare of the poorer and more numerous classes, be thought to have grown cool

in his love of liberty, and indifferent to the rights and interests of the people. But we much doubt whether we shall be able to restore the government to the true principles of the constitution, and effectually maintain constitutional order, till we rally again under our old appellation of Republican, on true Republican ground,—stanch and eager to rush to the battle under the old Republican flag of '98, weather-beaten and torn as it may be, but still streaming in the wind, promising victory and freedom.

We know well enough how these remarks will be received. But we have never desired to be among those who are incapable of profiting by the lessons of experience. The election of 1840 has taught us much; the conduct of the Whigs at the extra session, and the documents they have put forth since the veto of the bank bill, have taught us more; and have—we care not who knows it—essentially modified our views, not of the *end* of government, but of the means by which that end is to be secured. We are satisfied what we and our friends are striving for is not to be obtained by the appeals which were made during the last presidential campaign. What we have heretofore hoped to gain, by calling upon the political party, with which we act, to be more democratic, we are now satisfied can be gained only by first establishing a rigid constitutional order, by restoring the government to the true principles of the constitution, and administering it according to them. Then it will be administered for the common good of all. And this is precisely what, and all that the laboring classes, whose interests we have had, and trust we ever shall have, specially at heart, demand. But till we can confine the government within its constitutional limits, it will, in spite of all that can be done, be wielded for the special interest of the class, or section, that for the time being can command a majority; and this will not be the interest of the laboring classes. We have seen the use the Whigs can make of the word *democracy*, and we can see that they, and not our party, use that word in its popular acceptation; and, therefore they, and not we, will control the government, when that is the common watch-word of both parties. Theirs is the simple, natural, easy meaning of the word, the first meaning it suggests; ours is more recondite, more philosophical, more abstract, and therefore less easily seized; and will be supposed by the mass to be practically the same. Hence we refuse to shout democracy; we refuse to shout for enlarging the power

of the masses; and substitute the call for constitutional restrictions on government; a negative on power, so that it cannot tyrannize; a republican government, confined within wholesome limits, constituted to manage the affairs of the public, and not of individuals, special classes or interests; and which will necessarily operate only for the freedom and common good of all. This is precisely the end the party with which we act are aiming at, and which they misname democracy; and it is because they are aiming at this end, that we act with them. But to secure this end, we repeat, it is the *constitutional order*, and not the *democratic order*, as this last will be practically understood by the country, that we must labor to confirm.

But to return. It is to the general prevalence, practically, in all parties, but more especially in the Whig party, of what we have termed the democratic formula, that is, the "general welfare" doctrine, which strikes at the foundation of all constitutional order, that we must attribute the astounding fact, that a majority of the two houses of congress could record their votes in favor of the distribution act. The majority had become habituated to a mode of considering and construing the powers of the government, which made the constitution of no practical significance; they believed that government was instituted for the "general welfare," and that the people had elected them to take charge of the "general welfare," and were they to suppose that they had not the power to adopt such measures as were obviously for its promotion? A constitution prohibiting them from adopting such measures would be null and void from the beginning, by defeating the very end for which government is instituted. Having, then, by some means or other, persuaded themselves that the distribution of the proceeds of the public lands would be for what they regarded as the "general welfare," they could entertain no question as to its constitutionality. They were not the men to sacrifice the interests of the country to the constitutional scruples. They were patriots, philanthropists, *practical* statesmen, of enlarged and liberal minds, adopting a broad and comprehensive policy; and quite too patriotic and conscientious to be deterred from doing their duty to the country by the dreams, or wire-drawn objections of a few "abstractionists." No more theorizing, no more refining on the constitution. Action, action, action, is all that we want. So place they their gag on debate, and almost without allowing the minor-

ity an opportunity to enter their protest, they, with indecent and ruinous haste, hurry through their revolutionary measures. Hence are they, after having wantonly violated the constitution, able to come home, and look even honest men in the face, and to wonder why they are not applauded for their proud superiority to mere technicalities, to "abstractions." All we say is, their example should be instructive, and full of solemn warning to every man, who really loves his country, and desires for it the blessings of good government.

But we need not dwell on the dangerous tendency of the "general welfare" doctrine. We have drawn it out distinctly, that its destructive tendency may be seen. We cheerfully admit that there are probably few men in the country who would, in general thesis, maintain it as we have stated it. Nevertheless, we have only stated what is lurking confusedly, and half the time unsuspected, but always effectually, in the minds of a large portion of our countrymen, and producing the saddest results. It is, as we have stated it, the doctrine that almost exclusively shapes the policy of the government, and gives to it its false and mischievous direction. The Whig party of to-day are its perfect representatives; and at the extra session they carried it out with admirable boldness, vigor, and consistency. All must see that it is at war with constitutional order, and therefore with freedom and good government. The real issue before the country between the Whigs and Republicans is, then, no longer bank or no bank; but CONSTITUTION, or no CONSTITUTION; the FREEDOM of law and order, or the TYRANNY of an irresponsible majority; the rule of the people constituting the state, or the rule of a lawless mob. In the Whig-democracy we see only the foundation for the misrule of the mob,—not indeed the unwashed mob in the streets, of hard fists, and coarse garments; but your well-clad mob of brokers, stock-jobbers, bankers, speculators, and ambitious and intriguing politicians,—the only real mob there is in this country, or that is, or can be, formidable. The poorer and more numerous classes are, with us, the fast friends of law and order; and would endure almost any conceivable wrong, sooner than, as a body, violate them.

We have no intention of going again into the general merits of the distribution policy. We have already considered it at length, both in its constitutional bearings, and

as a question of expediency. Moreover, after the very full discussion the subject has received in both branches of congress, and especially after the masterly speeches of the distinguished senator from South Carolina, nothing in fact remains for us to say, but to repeat what others have already said, and better said than we could say it. It is hard gleaning after Mr. Calhoun. We have no ambition to follow him in the discussion of any question relating either to the principles of government, or to its policy. He usually covers the whole ground; and however we may be disposed to question some of his propositions at first, we are, for the most part, obliged to surrender to him unconditionally at last. To this subject of distribution he has had his attention drawn for a long time; and no small portion of his efforts for the last twelve years have been directed to its defeat. It is but simple justice to him to say, that he was the first of our statesmen to see and expose its mischievous bearing; and he has exerted himself, often alone, amid reproach and obloquy showered upon him from all quarters, for its defeat, with a foresight, a sagacity, a steadiness of principle, and a firmness of purpose, which have won for him a place in every truly American heart, and the reputation of being the first statesman, in the purest and loftiest sense of the term, that his age or country can boast. The American people have great reason to be proud of Mr. Calhoun, and to cherish a profound respect for his talents and worth, and a tender regard for his fame. With a personal character that has passed for years through all the bitter conflicts of party strife, unsullied by even a breath of suspicion; an intellect of the highest order, enlarged and invigorated by a long life of assiduous cultivation; an unwearied devotion, from his earliest manhood, of his best affections and powers to the public service, in high and responsible stations, to every one of which he has proved himself equal, and the duties of all of which he has discharged with a fidelity and success, unparalleled in the history of any other public man in the country; a clear and vivid perception of justice, and a martyr-like firmness of principle, that would lead him to rush in where "blows fall thickest and heaviest," to its support, and to brave power and even the axe of the executioner in its defence; always true to the great principles of law and order, and the fast friend of the broadest liberty, embracing in his policy the freedom and well-being of the humblest as well as the proudest

citizen ; unseduced by power, uncorrupted by success, undazzled by reputation, he is a man of whom his native country may well be permitted to boast, for such a man is only the slow growth of the ages ; and in showing that she knows how to appreciate and honor him, his country inscribes her name high on the list of the more advanced nations of the earth, and proves that she has within herself the elements of national greatness and immortality.

We have been particularly interested in this last speech of Mr. Calhoun on the distribution bill, not only as being one of the ablest of his speeches, but as developing a liberal and patriotic policy, deserving the especial attention of our own beloved New England. Mr. Calhoun proves in this speech that he is a southern man, with strong affections for his own section of the Union, and disposed to resist to the utmost any aggression on its rights or interests ; but also that he studies and embraces in his policy the protection and furtherance of the common rights and interests of the whole country. We have no high opinion of that man who has no local attachments, no preference for his own natal soil ; and into whom the peculiar circumstances amid which he has been reared have infused nothing. We wish to see in every man the marks of his age and country, and to read in his feelings, and to hear in the accents of his voice, his birth-place. Your men from whom all traces of their native land are obliterated, who have that enlarged philanthropy which overleaps all geographical distinctions, and grasps with equal affection all lands, races, and individuals, are quite too refined and transcendental for daily use ; and the sooner they are transferred to a world where time and space count for nothing, the sooner will they find themselves in a congenial element and at home. The harmony of this world is maintained, and its real well-being promoted, by men who are not superior to tradition ; by assigning in fact to each individual a special sphere in which his affections shall centre, and the principal part of his labors be performed. We are too feeble beings to be able to grasp the universe in our affections, and to labor with equal zeal, energy, and wisdom for the whole. In aiming at so much, we lose the less we might accomplish. A southern man, born and reared under the influence of southern interests and institutions, habits, manners, and customs, who should yet have no trace of them, would be to us as undeserving our respect, as the travelled fop who had lost his mother-

tongue, and become unable to speak the language of any Christian people. And the New-Englander whose heart does not swell at the sound of the surf breaking on her "rock-ribbed" coast, and at sight of her hills and valleys, her churches and school-houses, her factories and wharfs, and thank God that she is his own, his native land, and prefer her to all other lands, like the man who has no music in his soul, "is fit for treason, stratagem, and spoils." Thank God, we have never yet been able to hear the word "Green Mountain Boy," at home or abroad, but our heart bounded as when a child, and our own mountain-home came back to us in all its freedom and freshness, and the tears unbidden to our eyes. Long may it be so. For so long as it is so, we shall feel that the heart with which God made us is yet unestranged and still retains somewhat of its early purity, simplicity, and warmth.

But whatever may be Mr. Calhoun's preferences and affections, as a southern man, he has nothing of that narrow, sectional feeling that would lead him to promote the interest of one section of the country at the expense of another. His proposition, which he made some time since, to dispose of the public lands to the states in which they lie, on condition that these states would assume the entire management of them, and pay over to the federal treasury sixty-five per cent of their proceeds, showed that he comprehended and was willing to further the true interest of the West, and we regret that the late administration party did not adopt that proposition when they had the power. Had it been adopted, it would have settled our land policy on a footing equally advantageous to the West and to the whole Union, and the statute-book would not have been stained by so unconstitutional and ruinous an act as this for distribution. But, unhappily, some of those who should have supported him, preferred to misrepresent him, and try to prejudice the country against him, by alleging that he proposed to give the lands away to the new states, as is supposed to be the case even now by the larger portion of the community; when in fact his proposition, if carried into effect, besides relieving the new states of their present dependence on the general government, and paying them liberally for their management of the public lands, would have secured to the federal government a larger net profit than it can possibly receive by continuing the present system. It is exceedingly difficult to tell the truth about a man who makes a proposition we do not wish to have succeed.

In this speech, again, he shows himself disposed to urge the general government to adopt a policy equally wise, just, and liberal to the North. He has here urged with great force and clearness a policy suggested, we believe, by Dr. Linn, the worthy senator from Missouri, the appropriation of the proceeds of the public lands, or of a sum equal in amount, to the defence of the country, and principally by means of enlarging our naval force. Mr. Calhoun, from his first entrance into public life, has shown himself the stanch friend of the navy; and his policy has always been to afford effectual encouragement to commerce and navigation. He considers the encouragement and protection of commerce and navigation the principal external duty of the Union, and wishes that duty never to be lost sight of. In any plan of general defence the interests of these must hold a permanent place. We have little to fear, and can suffer comparatively little from any hostile invasion of our territory. A war with a foreign power would be principally destructive by its injury to our shipping interest, by sweeping our commerce from the ocean and reducing to the greatest distress that large class of our citizens who depend upon it, not only for their wealth, but their means of subsistence. Consequently a foreign war must always fall with peculiar weight upon our section of the country, the section principally concerned in the interests of commerce and navigation. This fact was proved in the war of 1812 with Great Britain. It almost ruined our New England. Another war with Great Britain, with our present insufficient naval force, would be equally, if not more, ruinous. We should feel its effects not only in our commercial and navigation interests, but even in our manufacturing interests. The kind of defence demanded by our interests is, unquestionably, that which protects us, not only upon the land, but on the ocean, where so much of our property is afloat, and which is the home of so many of our free and hardy citizens. For this we must rely solely on our naval force. This is what our New-England statesmen have always contended. Hence the deep interest so many of them have always taken in the navy.

The only power with which we are likely at any time to come into serious collision, is Great Britain. This country and Great Britain are commercial, and beginning to be manufacturing, rivals. They are competing with each other for the markets of the world. Their territories join; and the

ocean, instead of separating, brings them but the nearer together. They meet and rub against each other everywhere. We are the only power really formidable to Great Britain; and she is the only power really formidable to us. It is against her, and her alone, that we are called upon to put ourselves in an attitude of defence. No defence against her will be adequate for the protection of our commerce and navigation, short of a naval force fully equal to that which she can, at any time, bring against us. This, Mr. Calhoun thinks, will require the increase of our naval force to about one-third, or one-half, of the actual naval force of Great Britain. By a wise and just policy we can always secure the friendship of Russia, Austria, and France, in case of any collision with England. This consideration, with the fact, that England has more points to defend than we have, shows that a far less effective force than hers will always be adequate to our defence. She can never liberate from other points more than one-third of her actual force to operate against us: or, at most, not more than one-half. Mr. Calhoun proposes, then, that we increase our naval force, and maintain it, to the equal of one-third, or one-half of hers. In this he takes precisely the view that every New-England merchant must approve.

Mr. Calhoun's policy is to unite firmly the North and the South Atlantic states, while he would be just, and even generous to the West. He contends, with great justice, that the interests of the North and the South Atlantic states, so far as they come under the cognizance of the general government, are virtually the same; and he would bring chivalric South Carolina, and the glorious old Bay State, with her adventurous spirit, her love of order, her industry, and her "fierce democratie," together on the constitutional platform, to labor side by side for the glory and prosperity of the common country, as they fought side by side in the days of the revolution for the common liberty and independence. The land of Warren and Hancock and Adams, and that of Marion and Sumpter and Haynes, should be but friendly rivals in the cause of freedom, and patriotism, and honor, and glory. In order to make them so, he urges a policy of all others the most essential to our interests and prosperity, the only policy which can effectually protect our commerce and navigation, as well as our manufactures themselves. Our manufactures have grown too large to be contented with the home market. Their

protection is now involved in the protection of our commercial interests.

We will not revive, at this moment, the angry controversy concerning the expediency of the protective policy. The advocates of that policy, if we remember aright, never contended that it ought to be the permanent policy of the country. They asked its adoption only for a time, during the infancy of our manufactures, to give them a start and enable them to acquire sufficient strength to sustain themselves; whether even this was needful, it is now useless to inquire. Our own New England came very reluctantly into their views; the enlightened merchants of our city resisted their policy, and never adopted it till forced into it by the great central states. It is worthy of note, that no protective tariff laid by congress has ever received the votes of a majority of the members of congress from either New England or the South Atlantic states. But let this pass. The protective policy, however expedient it may have been, is now no longer necessary. Our manufactures, so far from being encouraged by the continuance of that policy, imperiously demand its abandonment. That policy is to encourage our manufactures, by securing to them the monopoly of the home market. But we can secure to them the monopoly of the home market only by excluding ourselves from foreign markets, for, if we will not buy of foreigners, they cannot buy of us. But the home market is too contracted for the present growth of our manufactures. Confined to that market, they would diminish, at least not increase, or at best but to a very moderate extent. They now depend, in no small degree, for their prosperity on foreign markets, and their continued prosperity requires us to seek out for them as many and as valuable foreign markets as possible. Their real interest, then, instead of demanding the policy, which would confine them to the home market, demands a policy that leads us forth to compete with other nations for the markets of the world. This last is the policy most worthy of our ingenious, bold, and enterprising countrymen; and this policy with them, whatever it might be with a more sluggish race, would be successful. But this policy demands not restrictions on commerce; it demands its freedom and effective protection.

This is unquestionably the true policy for New England, and, in fact, for our whole country; for it would give us the widest field for our enterprise, and ultimately prove the

only real protection to our manufacturing interests possible. Mr. Calhoun, among other reasons, therefore, objects to the distribution bill, its direct effect, by withdrawing from three to five millions annually from the revenues of the country, which must be supplied by increased duties on imports, to restrict commerce, by throwing upon it the whole weight of the government expenses, which, if increased by the additional expenditure which will be demanded for enlarging and maintaining our naval force to the extent necessary for the defence of the country and its navigation and commercial interests, will prove altogether too burdensome, if not overwhelming. The operation of the bill must be to increase the duties, while it diminishes the quantity of imports; to cripple the commercial strength of the country, while it is required to carry increased weight. This objection is one that should not be lightly dismissed. It is worthy of serious consideration, whether commerce will be able to sustain the whole weight of protecting itself and of meeting all the expenses of the general government. Commerce is a great and leading interest in the prosperity of a nation, and the prime agent in advancing the civilization of the world. Not for light and casual reasons should we consent to restrict or overwhelm it with unnecessary and oppressive burdens. He who would cripple its energies, or restrict the sphere of its operations, wars against the best interests of his country and his race. As soon should we recommend a war on the mechanics of large towns, who in all ages have been the most generous defenders of liberty, the first to demand and the first to sacrifice themselves to obtain it. Commerce is the real agent in building up manufactures; and it is only through her free, unrestricted operations that the future prosperity of our manufactures can be promoted. What, in a word, would be the condition of England, with her immense manufacturing capital, were she confined to the home market? By her corn laws, her monopolies, her restrictive policy, designed to exclude, as far as possible, foreigners from her own market, she is even reduced to the necessity of attempting, contrary to all justice and international law, to open by means of her armies and fleets foreign markets for her manufactures, in order to save herself from the conflagrations of chartism, and her miserable operatives from starvation. Can any thing more forcibly demonstrate the folly of attempting, by artificial means, to extend manufactures beyond the natural and

regular demand created by commerce and home consumption?

But it was not our intention to discuss at length the protective policy. We may hereafter find it necessary to consider that policy somewhat at length, for we see very clearly that a portion of our countrymen, unable to profit by experience, are resolved to revive it, and to fix it upon the country as a permanent policy; and there can be no question that one of the strongest motives the administration party had for urging the distribution bill through congress at the late extra session, was to prepare the way to create, apparently, a necessity for reviving this policy. We should hold ourselves utterly unworthy of attempting to discuss any political question in the presence of our countrymen, could we for a single moment countenance a policy that we thought would be hostile to our manufacturing interests. Whatever schemes of a Utopian republic, *à la* Plato, we may devise and speculate upon in our closets, or send out for the speculations of others, we claim, when we enter into practical life, to be a practical man; a New-England man, with the feelings and traditions of those among whom we were born, and wish to live and die,—taking a deep interest in, and cherishing a generous regard for, all the important branches of business in which they are engaged. Our manufactures have become a great and leading interest. A large portion of our New-England capital is invested in them; and hundreds and thousands of our population are dependent on them for wealth and worldly prosperity, and even for the very means of subsistence. We are not the man to recommend a policy that would impede their progress. But we are confident,—and it is not now for the first time, nor lightly that we have considered the subject,—that the steady growth and permanent prosperity of our manufactures demand the policy recommended in the speech before us; and we have gone into the question to the extent we have for the purpose of drawing the attention of our New-England community more expressly to it, and of showing them that the objection Mr. Calhoun urges against the bill, on the ground of its tendency to operate unfavorably on commerce and the maritime defences of the country, is one that deserves our serious consideration, not only because we are so deeply interested in commerce and navigation, but from its bearing on the protection and prosperity of our manufacturing interests.

On this ground alone, on the ground of the additional burdens it will throw on commerce, and the withdrawal in part of our means of providing for the adequate defence of the country, where most needing defence,—that is, on the ocean,—we are willing to rest our own opposition to the distribution policy. We grant our policy would be, to make this the first commercial nation of the world. Its position, its vast agricultural resources, its yet unsuspected mineral wealth, its facilities for extended and various manufactures, its vast extent of coast and innumerable harbors, its mighty rivers and lakes, and increasing artificial facilities of inland navigation and internal communication, the habits, spirit, genius, and freedom of its population, all mark it out as destined to be the first commercial nation on the globe; and that will secure it preëminence in agriculture, manufactures, and the mechanic arts. Industry has become the ruling interest of the world; and the grand promoter of that interest is commerce. Philosophy and science, literature and the fine arts, all that elevate the interior man, cultivate the taste, exalt the sentiments, embellish exterior life, necessarily follow in its train. Such is the destiny marked out by Providence for our republic; such the destiny we see for it in our patriotic dreams; and the policy that will enable it to attain this high destiny, we own, is the one we are ambitious to urge upon our statesmen and politicians.

But the anti-commercial bearing of the distribution scheme is not our only objection to it. The very fact of its unconstitutionality, which we established in our article on "Distribution and the Public Lands," is of itself a sufficient reason for rejecting it, were it even demonstrated to be of the highest public utility. We are not among those who can bend the constitution to their convictions of what is for the general welfare. The first and permanent good that can be obtained, or secured, to this country, is the maintenance of the constitution in its strict inviolability, and in administering the government according to its express provisions, rigidly construed. For without this there is, according to our manner of viewing it, no good possible for us. Show us that your proposition is in itself never so wise, just, or useful, if it be unauthorized by the constitution, we cannot entertain it for a moment.

This, act, interpret it any way you please, is an act for imposing an additional tax on the people of from three to

five millions, annually, for the purpose of raising that amount to distribute among the states. The simple, naked, undisguised fact is, that congress, at its extra session, passed an act authorizing the collection of from three to five millions of dollars annually, beyond what it needs for its own purposes, merely to give away. Is there a man in the country who believes this to be constitutional? Is there a man in the country who dares lay his hand on his heart, and say he believes congress has the constitutional power to collect revenue for distribution? This is the simple, naked question, which no talk about land, proceeds of lands, and the like, can the least alter or affect. The public lands belong to the Union,—were in part ceded to it by the states claiming them,—but whose claim was never admitted by congress,—for the express purpose of furnishing a federal revenue; and in part were bought of France and Spain, and paid for out of the federal treasury. Their proceeds, then, are revenue, just as much revenue as the proceeds of the customs, for they have been bought by the customs in part, and the customs have paid more on account of them, including those ceded as well as those originally purchased, by several millions of dollars, than the government has as yet realized from their sales. There is no difference, can be no difference in principle, between distributing money derived from their sales, and distributing money derived from the customs. It is distributing revenue; and all revenue is a tax on the community. The simple question, then, is, Has congress the constitutional power to tax the people for the purpose of raising a revenue for distribution? Of course not. Then who dares pretend that this measure is authorized by the constitution?

This measure is also objectionable, because it is an indirect assumption, by the general government, of the state debts. There is no one who can believe for a moment, that a strong reason for urging the passage of the bill, at the extra session, was not the relief it would most likely afford the indebted states. The credit of the states which had made heavy loans for facilitating or sustaining their banking operations, and carrying on their various plans of internal improvement, had to some extent been shaken, and in several instances very nearly ruined. Their bonds, holden by the principal advocates of the distribution act, or their political associates, the Barings and Rothschilds abroad, and the bankers and stock-jobbers at home, were at a ruinous

discount; and to save a loss, or rather to secure a profit to their holders, some measure of "relief" was necessary, that should enhance their value in the market. The proposition was put forth, in the first instance, we believe, by a foreign banking-house, that these state bonds should be assumed, or their payment guarantied, by the federal government. But from this proposition, after feeling very delicately the public pulse, even our "general welfare" politicians shrunk. Their courage was unquestionable, but they had learned that discretion is sometimes the better part of valor. They apparently judged it neither safe nor prudent to attempt so open and bare-faced a violation of the constitution. Anxious as the people were for "relief," it was somewhat doubtful whether they would be willing to accept it on such terms. Assumption could, then, in prudence, be attempted only indirectly, and in disguise. An indirect and disguised assumption offered itself in the form of the distribution of the proceeds of the public lands. This measure had for years been sought for a double purpose; by subtracting a portion of the revenue to create an excuse for raising the tariff on imports, in order to please the manufacturers; and by distributing the amount among the states, as a basis of foreign loans, to conciliate the importers, and the stock-brokers. It was a measure admirably adapted to the "relief" of the indebted states, or the holders of their bonds. For although indirect and partial, if acquiesced in by the people, it would soon prepare the way for open and entire assumption. That it would be acquiesced in, there could be little doubt, for the indebted states could hardly be supposed to have the magnanimity to reject the "relief" proffered them; and the unindebted states would be *bribed* into acquiescence, if not active support, by the portion of plunder that would fall to their share. Every captain of a ship, or commander of an army, knows the virtue of holding out to his men the prospect of prize-money. Such was the view taken of this measure by its advocates; and such the end it was hoped to secure by means of its adoption. Its express design was, by a disguised and partial assumption of state debts, to enhance in the market the value of state securities. But is there a man in the country who will pretend that this disguised, indirect, partial assumption is not as much a violation of the constitution as would be the adoption of the bolder and more manly proposition, put forth by the foreign bankers, of their direct assumption, or guaranty of their payment, by the

federal government? But we beg pardon for the question; the advocates for the distribution policy will only smile at our simplicity, in supposing that the unconstitutionality of a measure can have any weight with them; or in fancying that the "prize money" they have offered may not secure them a majority of the people, in spite of the obvious unconstitutionality of their acts.

The assumption of these state debts is objectionable, whether direct and entire, or only indirect and partial, on still other grounds. As a financial measure, it is either an absurdity, or a manifest injustice. The people of the states furnish the revenue of the Union; and are presumed by the constitution to furnish it according to the ratio of their federal representation. This is the constitutional basis of taxation. Now, if the same ratio be adopted as the basis of distribution, or assumption, the amount returned to each state will be precisely the amount it has previously contributed,—minus the cost of collection, redistribution, and what sticks by the way. If the rule of taxation be just, or if each state has contributed its proportional share of the revenue, it is obvious, then, at a glance, that assumption or distribution of revenue from the federal treasury, can add nothing to the ability of the state to pay its own debts. It is just as easy for the citizens of the state to pay the same amount of tax to the state government directly, as it is to do it through the medium of the federal government. In this view of the case, it is a great absurdity to pretend to afford the indebted states relief, by means of assumption or distribution, because the same individuals must furnish the means of redeeming their bonds in the one case as in the other; and by introducing the agency of the federal government, they necessarily incur the expense of two agencies, when one only is requisite.

But if taxes are unequally levied,—which is the fact,—then assumption, or distribution, can afford relief to the indebted states only by a manifest injustice to the unindebted states. They can obtain relief only by receiving from the federal revenues an excess over their respective contributions, and this excess must come from the other states. Is there anybody to pretend that congress has a right to levy taxes on one portion of the states to pay the debts of another portion? We go on the ground that distribution of the proceeds of the lands is distribution of revenue. This we all know is the fact; for every dollar taken from the proceeds of the lands, must be supplied by an additional tax to

that amount, direct or indirect, on the people. It makes no difference, then, whether the money distributed is said to be the proceeds of land, or proceeds of the customs. To the full extent, then, to which distribution of revenue adds to the ability of the indebted states to redeem their bonds, the unindebted states are taxed for their benefit. Where is the justice of this proceeding?

This measure is rank agrarianism. We have heard, within a few years, much of agrarianism. Even we ourselves have been accused, and falsely accused, of advocating agrarianism; and have been held up in all the strength of the Peter Parley literature, in which Whig leaders do so abound, to the execration of our countrymen. In 1840, if Whig orators and newspapers may be taken as authority, the fact that we, the solitary conductor of a periodical, which then had only a few hundred subscribers, were supposed to entertain certain agrarian notions, was a good and sufficient reason why Mr. Van Buren should not be reëlected. The charge against us was, in form and in substance, a sheer fabrication. We have been a sinner, we confess, and have said many foolish things, first and last; but, thank God, we never yet were left to entertain for one moment a scheme so wicked and withal so foolish as that of agrarianism. We have always been among those who contend that man's right to property is not a grant from the legislature, but a divine right, which the legislature must respect and protect. Even the suggestion which we threw out for the modification of the law, by which that portion of property shall be reappropriated which escheats to the commonwealth through default of an owner, and which has not a single feature in common with agrarianism, in any possible form, we refused expressly to assume the responsibility of urging, save as a mere theoretic speculation. But we charge the representatives of the Whig party with solemnly enacting, in open day, unblushingly, in this distribution act, the very principle they falsely accused us of advocating; and over which they shrieked in such loud and piercing tones of horror from Maine to Georgia, and from the Atlantic to the Rocky mountains. The solemn enactment of this principle, we are exultingly told now, has covered the Whig party with glory. Was their cry against us, then, merely set up for the purpose of diverting pursuit from themselves, as archest rogues have been wont to do? There is no getting by facts. There stands the distribution act on the statute-book of the Union; and placed there by a Whig

majority in congress, and the official sanction of a Whig president. There it is,—rank agrarianism, beyond the possibility of denial or cavil; and agrarianism, too, under its worst possible form. Shriek, ay, shriek over agrarianism, Whig orators and Whig editors; ye may yet shriek in good earnest. The sword is in our hands now, and it shall go hard but we profit by your lessons to use it with good effect.

We say this measure is rank agrarianism. What is the real character of the distribution act? Is is simply an act for taxing the people, annually, from three to five millions of dollars, for the purpose of distributing that amount among the states. It then declares the property of the citizens of the several states, so far as necessary to yield an annual income of this amount, common property, and provides for its distribution. If this is not agrarianism, in principle, and in form too, we know not what is. There is, and can be, no difference in principle, between the distribution of the proceeds of property, and the distribution of property itself; and none between distributing a portion of the proceeds and distributing the whole. To-day the government may be content with the distribution of only a part, and to-morrow it may choose to distribute the whole; and next day, property itself. From distribution among states, there is but a step to distribution among individuals. And with the precedent before us, what security have we that this step will not be taken? We tell the Whig leaders not to flatter themselves that distribution will stop where they now propose to stop. They enact agrarianism to-day for bankers, capitalists, and speculators; let them be assured that another sort of agrarianism will be demanded to-morrow. If agrarianism is to be the policy of the government, they will hear thundering in their ears the demand that it be for the benefit of the poor instead of the rich; and when the poor are driven to make this demand, and authorized to make it by Whig precedents, they will not be in a condition to resist it. Resistance will then lead to blows; and in dealing blows the fist of the wood-chopper, the blacksmith, and the cord-wainer, will count for as much as the fist of the lawyer, the banker, capitalist, or swindling politician. We have heard much of Marats, Robespierres, and French revolutions; we tell the Whig leaders, if they continue their agrarian policy, there will be no dearth of Marats, Robespierres, and French revolutions. On their own native soil may be

erected the guillotine; and they may be its first victims,—theirs the first blood to whet the appetite of the tiger. As yet the combustible materials in the republic are scanty, but their accumulation will be fearfully rapid under such a policy as this; and if it be persisted in, even we, who are now on the stage, may live to see deeds done from which the stoutest hearts—nay, hearts the most hardened among us, would now shrink appalled. We speak not in the tone of menace; we are too insignificant to threaten, even if we had the disposition. We are no advocates of a war of the poor upon the rich. But, if the poor find themselves perpetually defeated at the polls, and cheated of justice in the legislative hall; if they see the government continually administered for the benefit of the wealthy and influential minority; labor and the necessaries of life taxed for the purpose of raising a revenue for distribution among stock speculators, and foreign bankers, or to feed the hungry maw of plundering politicians and rapacious capitalists, no power on earth will be able to prevent them from appealing to the law of force. There is a might in the peasant's arm, when once waked from its slumber of ages, before which the enactors of iniquitous laws will be but as so many dead men. Beware how you rouse the sleeping lion. The seeds of a French revolution are sown broad-cast in every land; and the germs of a Marat, a Danton, a Saint-Just, a Robespierre, are in many a village-clown. Would you guard against them,—practise JUSTICE. The government, or party, that practises iniquity must look out for a day of final reckoning, of terrible retribution. Delayed it may be for a time, but not for ever; come it will, for there is a just God who reigns. We speak strongly, for we feel in common with all good citizens, the wish to leave this soil, purchased with the heroic deeds of our fathers, and the heroic sufferings of our mothers, free to our children, and blessed with wise and just government. These attacks on the rights of property, these agrarian doctrines, solemnly enacted in the legislative hall, and approved in the executive cabinet of the Union, we confess, fill us with alarm. They seem to us to speak in tones of loud and solemn warning to every republican who loves freedom; to every patriot, who loves his native land; to every father, who looks around with the just pride of a father's heart upon his children, and asks for them a country and a home. Not to-day will this iniquitous policy ripen. Not to-day will its poisonous fruits produce all their

effects; but ripen it will, if not nipped in the bud, and its poisonous fruits be tasted. The flood-gate of iniquity once opened, corruption, sedition, tyranny, oppression, national and individual degradation, crime, vice, and squalid wretchedness will rush in and deluge the land—inundate every hope of the patriot, the philanthropist, and the Christian. But that we know it would be in vain, we would entreat the advocates of this wicked distribution act, in the name of our common country, of our common ancestry, our common hopes, of all that is good, and sacred, and holy, to retrace their steps before it is too late. But why seek to charm the deaf adder? Why appeal to the stony heart of Mammon? The men who could urge forward such a measure, are past being touched by any appeals to what is noble, generous, true, or just, in human nature.

But we object, also, to this policy, on the ground of its bearing on the manufacturing interests of the country. We have already shown its bearing on the interests of our commerce and navigation. We call the attention of our New England manufacturers to the effect it must have, if persisted in, on their peculiar interests. They are demanding protection of the government. They have, no doubt, supported this measure, among other reasons, because it seemed likely, in the present state of the treasury, to force upon the government the necessity of raising the tariff of duties on imports. Have they reflected, that they, by supporting this measure, are preparing the way to deprive themselves of all the benefits they hoped to derive from an increase of duties? If they will not listen to the voice of the constitution, of justice, of patriotism, of humanity, we ask them at least to listen to the voice of interest, and not consent to plunder themselves.

Free trade is unquestionably for the interest of our manufactures. The South and West are our principal domestic customers; and these states furnish the principal portion of our exports. The staple states of the South furnish about three-fourths of the whole exports of the country. In these states the West finds its market for its peculiar productions; and in them and the West we find the market for ours. Now, it is obvious that the ability of the West to buy of us depends on its ability to sell to the exporting states, and the ability of the exporting states to buy of the West and of us, depends on their ability to sell to foreigners. A policy that tends to facilitate and increase the ex-

ports of the southern staple states is, then, unquestionably that which tends to increase the prosperity of our northern manufactures. And this policy, we all know, is free trade. But this is not the view we wish to insist upon at present.

The distribution policy is evidently designed to revive the credit abroad of the indebted states. It is with this view that it has been put forward, and in this view that it has been regarded as a measure of "relief." Now, our manufactures have nothing to dread equal to this reviving of the credit of the states abroad; for nothing can be more destructive to our manufactures than these state loans. Foreign loans, in the shape of money, or bullion, imported into the country, are, perhaps, not injurious; because they bring with them the means of their own redemption; and also because they furnish capital, which is essential to industry. They then render industry more effective; and, of course, are advantageous in a country where there is but little capital and great natural industrial resources. But these state loans bring in no real capital that can serve to stimulate the industry of the country. No money is borrowed; merely a foreign credit is obtained and placed in the hands of a foreign banking-house, or with wealthy bankers, on which bills of exchange are drawn and sold to our merchants. These bills are transmitted to Europe, and their proceeds returned in goods. From 1831 to 1839 inclusive, it has been stated that states and corporations obtained credit abroad to the enormous amount of three hundred millions of dollars. We have no means at hand of verifying the accuracy of this statement. The aggregate of state indebtedness is generally admitted to have been at the latter date about two hundred millions of dollars; various corporations, cities, and banks, had also, it is well known, borrowed largely; but we should hardly think to the amount of another hundred millions. To remove all ground for cavil, we waive all the loans, except those of the states, which may be set down, as already stated, at two hundred millions of dollars. Now, the operation of these loans has been to swell the imports of the country to this amount in nine years, above what could be sustained on the natural basis of credit; that is, the exports of the country. The tables of imports and exports, during the years mentioned, after making liberal allowances for profits, and the interest annually accruing on foreign loans, show us an excess of imports over exports of very nearly the amount assumed.

And if we look at the list of articles imported, we shall find a large proportion of them to consist of articles coming in direct competition with the products or manufactures of our own country, and which never could have been imported, if these foreign credits had not been obtained. Have our manufacturers reflected on the influence these heavy importations, made on the basis of state and corporation loans, have had on their interest? Are they not calling upon congress day and night to grant them protection, by excluding foreign manufactures? But what tariff can withstand the operation of foreign credits, obtained by states and corporations, in addition to those warranted by our exports, to the amount of two or thee hundred millions, in the short space of nine years, causing an augmentation of imports from twenty to thirty per cent?

Now, the distribution policy, so far as it has the desired or contemplated effect, must revive the credit of the indebted states; and this will enable them to obtain new loans for completing or undertaking public works; and by furnishing the unindebted states large sums, not needed to meet their current expenses, and pledging the public domain to raise and sustain their credit, already good, will tempt them also into vast expenditures for public works, demanding for their prosecution heavy foreign loans. These loans will be realized in the shape of goods. In both cases, then, the policy, if successful, will tend to swell our imports, as heretofore, some twenty or thirty per cent beyond what the exports of the country can sustain. Can our manufactures survive such a policy? If so, what means this clamor for protection? If not, why do our manufacturers advocate it? Why do they tell us with one breath, that even the imports sustained by the exports of the country are more than they can contend with; and, in the next breath, sing the praises of a policy, which has heretofore, and must again, if revived, augment the imports beyond that amount to some one or two hundred millions, every six or seven years?

We much question whether the mass of our business men are able to answer this question. Perhaps they will find the answer in the fact, that some eight or ten prominent business men in this city, whom they regard as oracles, and follow as leaders, combine in themselves the several characters of manufacturers, merchants, bankers, and possibly speculators in state bonds. The policy of them is to sus-

tain themselves as bankers. They, indeed, do not look to banking, as such, as a source of profit; but to their credit as bankers, to serve as the basis of their operations as corporators, manufacturers, importers, and speculators. What they want, then, is a government policy which shall sustain their credit as bankers; or, if you please, the credit of the banks. The credit of the banks requires a policy which tends to relieve them from the necessity of redeeming their paper. They require a favorable state of foreign exchange, which guards against a foreign demand for specie; and large government deposits enabling them to extend their operations, and to meet their demands at home.

High duties and state loans effect both these objects. The loans keep the exchanges favorable, so long as the states are contracting them; and overcoming, as they do, the influence of high duties on the amount of imports, the two combined swell the government revenues, and increase the amount of government deposits. The banks, protected against all demands that may be made upon them, furnish immense resources to those who combine in themselves the several characters enumerated; and enable them to realize immense profits, when the policy adopted all but ruins those who confine themselves strictly to manufacturing. These few individuals, by investing credit, where others must invest real capital, are always winning, while others are losing; for one per cent on their nominal capital yields them a higher actual profit, than the others are receiving, when they are making a profit of some ten or twelve per cent. These last derive no advantage from the policy which enriches the others. The only possible advantage, they can hope for, is in the increased amount of bank accommodations they may obtain. But this hope is fallacious. The bankers are also manufacturers, importers, stockholders in railroad and other corporations, and general speculators. They need all the possible accommodations of the banks for themselves; and it will not be denied, that the amount of discounts or accommodations to others than the officers, directors, and heavy stockholders of the banks, is, and for a long time has been, exceedingly small. This is the reason why there has been such a rage to multiply the number of banks. Moreover, by means of the favorable state of exchange, and the large government deposits, the banks is able to circulate their paper to an almost unlimited extent; and this enhances prices, so that our market is all but monopolized by

the foreign producer, or manufacturer. Under the operation of the policy, which it is now proposed to revive, we imported largely the very necessaries of life, notwithstanding the protection of high duties, and our vast agricultural resources. The rise in prices, then, more than neutralizes any supposed bank facilities the manufacturer would obtain. What interest, then, have they, who are engaged in manufacturing only, to call for a favorable state of the exchange, and for larger government deposits? Do they imagine the Messrs. Lawrence, for instance, were they simply manufacturers, would demand distribution, and encourage state loans? Or if they were simply merchants, that they would demand high duties? We think better of the business capacities and general sagacity of these gentlemen, than to suppose they would be guilty of such egregious folly. They would not, as some of their dupes are doing, labor day and night for their own ruin.

We cannot enlarge on this point. But we submit to the mass of our business men, if they have duly considered the great diversity there is between their interest, and that of the few individuals they follow. Have they considered, that the policy, which is most favorable to these few, must be the very policy most injurious to those who are manufacturers and nothing else, or merchants and nothing else? We beg them to pause and consider, even for their own sake. Why should they war against their own interest?

We have many more, and even weighty objections to the distribution act, but our limits compel us to draw our remarks to a close. In whatever light we view it, it is absurd or iniquitous. To give away five millions of dollars, annually, from the revenue, when we are obliged to resort to a public loan of twelve millions to meet our current expenses; to cut off one of the principal sources of revenue, at a time when our foreign relations are threatening, and increased expenditures are demanded to provide for the defences of the country; to increase the tariff of duties to protect home manufactures by diminishing imports, and pledging the whole public domain as a basis of foreign loans to be realized in the shape of increased imports, to revive credit, and render it stable and uniform by adopting a policy for swelling bank circulation to an almost unlimited extent; to keep the government pure by augmenting its fiscal transactions, and paving the way for a surplus revenue, to serve as the basis of banking operations;

to promote the independence and dignity of the states by making them pensioners on the federal treasury; to enhance the dignity and worth of the federal government by converting it into a mere tax-collector for the benefit of a few rapacious business men and gamblers in state stocks; to promote the morals and happiness of the people by facilitating the means of wild speculation and general extravagance; and the purity and freedom of elections, by appropriating some five millions of dollars annually, as a corruption fund, with which to bribe directly or indirectly electors, may be wise, liberal, and patriotic statesmanship, in the estimation of Whig politicians, and worthy to cover their party with glory; but if the immense majority of the American people do not treat it with the indignant scorn and contempt it so richly merits, the progress of corruption must have been fearfully rapid for a few years past, and altogether more so than we had supposed. If the American people permit the authors of such a bare-faced, such an absurd, such an iniquitous policy, to hold a place in what is regarded reputable society; if they go further and sustain them in this policy, they will deserve the scorn and derision of the whole world. In such a case, let them never again speak of their intelligence and virtue, their freedom and independence; but sink into the infamous slavery, for which their base hearts and craven spirits and stultified intellects fit them.

But we think we know the American people. We cannot praise them. They have suffered themselves to be most wofully deluded; they have disappointed and grieved the hearts, and almost destroyed the faith of the friends of popular government; but they are not clean gone in iniquity; they have not quite lost their old spirit, their old devotion to justice and freedom. There is a spark of Seventy-Six in their hearts yet; there is some of the old indomitable courage left, that will brave all but the fires of hell for freedom; and, thank God, there is still ground for hope. The deep indignation with which the Republican party, to a man, has received this measure, the terrible defeat which the Whig party has experienced in nearly all the states which have held elections since its passage, revive our hopes, and show us that the people will yet be true to themselves; that they will prove themselves worthy descendants of those who fought for independence on Bunker's Hill, at Saratoga, or Yorktown. Whiggism, indeed, came into power and place; but the extra session, it was so eager to call, disclosed

its character, and already is it prostrate. Alas! poor Whiggism! Thy day was short. It was written long ago, the wicked shall not live out half their days, and thou hast proved the truth of inspiration. Go to thy long home. A few may be found to bear the pall, and weep over thy ashes; but the heart of humanity bounds with joy at thy departure, and wisdom and virtue assume again their dominion in the affairs of the republic.

We conclude, by calling, in the name of the constitution, upon the Republican party, in all the states, where it has the majority in the legislature, to reject the bribe proffered, to refuse, with the stern integrity now demanded of them, to become, by accepting the portion offered to them, parties to the gross infraction of the constitution, which every man of the party believes has been practised. Now is a fair opportunity for Republicans, Democrats, the late administration party, to prove the virtue which they have always professed. They have been called "spoilsmen;" let them show by their conduct, the charge was a base slander. Let them show now that reverence for the constitution, a sense of justice, of honor, and integrity, can outweigh in their bosoms the few thousand dollars offered them. The rejection of their respective shares by the Republican states will defeat the measure. The Whigs dare not persist in it against the protest,—the stern, indignant protest,—of a majority of the states in the Union. Nor is this all. The moral effect on the whole Union would be grand and salutary. A great party, standing on principle, and scorning the proffers of wealth to corrupt them, would be a sublime spectacle, worthy of the true Republican party; and needed in these days of degeneracy, to revive the hopes of good men in the purity and permanence of popular governments. The party owe this to the constitution; they owe it to their own consistency; they owe it to the integrity of their principles; they owe it as a stern and indignant rebuke to Whig corruption and corruptionists; they owe it to their country; they owe it to the cause of popular government; they owe it to Christian morals, and to oppressed humanity, sighing everywhere for deliverance. Do we count too much on them, when we say they will do it? Do we trust them too far, when we say they will scorn to accept the bribe? Now is the crisis with them. Let them now take their stand boldly and firmly on principle,—stake every thing on principle,—and their triumph is not only sure, but they will re-

deem their country and bless the race. More we need not say. The Democratic party, the true Republican party of the country, will not now be wanting in what is due to itself, and the just and glorious cause it represents.

CONSTITUTIONAL GOVERNMENT.

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GOVERNMENT is not, as the author of "Common Sense" asserts, "at best a necessary evil." It has its origin and necessity in what is good, not merely in what is bad, in human nature. It rests for its support on elements as pure, as elevated, and as indestructible as those on which rests religion itself. It will not, therefore, cease to operate, nor become less essential as an instrument of social progress and well-being, in proportion as men advance in wisdom and virtue, as is contended by a portion of our modern philanthropists.

Man was made to live in society, in intimate relations with his race, and he can live nowhere else. It is only in society, and by its aid, that he can grow, and expand, and fulfil the end of his being.

Society is inconceivable without individuals, but it has an existence, a destiny distinguishable, if not separable from theirs. It acts ever in relation to individuals, and through individuals, but its action is not theirs, nor merely an aggregate of isolated activities. It is not itself an aggregate, a collection, but a unity, an individuality, living its own life, which extends from the indefinite past to the illimitable future.

Society becomes a unity, an individual, by organizing itself into the state or commonwealth. So organized, it is government, and its action is governmental action. Or, in other words, and a more limited sense, government is the result of this organization and the agent through which it operates.

Society organized into the state or commonwealth, that is, as government, has for its mission the maintenance of every member of the community, in the free and full possession of all his natural liberty, and the performance, in harmony

with this natural liberty, of those labors demanded by the common good of all, which necessarily surpass the reach of individual strength, skill, and enterprise.

The maintenance of each and every member of the community in the full possession of his natural liberty is the first duty of government. Till this be done, nothing is gained. But this is not all. No individual is sufficient for himself, and however free individuals may be, if left to act always as individuals, without concert, without union, association, they can accomplish little for themselves, or for the race. Savages are as free, individually, as can be wished; but the savage state is the lowest conceivable form of social life. In it there is no progress. The individual is poor and solitary, wandering the earth as an outcast, and doomed to subsist on wild berries, or the scanty products of fishing or the chase, always precarious, and at best but feebly sufficing for his subsistence. There are labors demanded for the growth and well-being of the individual, which no single individual can perform. These must be performed by association, that is, by government. Government, besides maintaining the natural liberty of the individual, must open the resources of the country, construct roads and bridges, railways and canals, open harbors, erect light-houses, protect commerce and navigation, build school-houses and churches, asylums and hospitals, and furnish the means of universal education, of the highest industrial, scientific, and artistic culture for all the children born into the community.

The end of government is then two-fold. Those who regard its mission as merely negative, merely that of preventing or redressing the encroachments of one individual upon another, restrict quite too much the sphere of its activity; and those who look only to the positive labors it may perform for social progress and well-being, and urge it on to their performance, regardless of the rights of individuals, defeat themselves; for there is no good that can compensate the loss of liberty.

The ends of government are determined by the law of eternal and absolute justice, and are everywhere and always the same. Always and everywhere is it obligatory on government to maintain justice between man and man, and to direct the activity of society to the common good of all its members. Of this no government may ever lose sight. No statesman may raise in regard to it the question of expediency, allege that it is difficult or inconsistent, and that it

may, therefore, be sacrificed to something more easily attained.

But the form of the government is a mere question of means to an end. One form of government in itself is no more just and equitable than another, and no more obligatory upon a people. That form is the best for a people, which in its practical workings best realizes the true end of government. In some countries this may be the monarchical form, in others, the aristocratic, in others still, the democratic, or some modification of one or all of these.

Hitherto all governments have failed to realize, in any tolerable degree, the two-fold end of government designated. The American governments form no exception to this statement. They have merely demonstrated that the American people can maintain a strong and stable government without kings or nobles; nothing more. It remains to be demonstrated that they can establish, and maintain wise and just governments, which fulfil their duty alike to society and the individual. Beyond the recognition of political rights, our governments do nothing more for individual liberty, or for social progress, than the governments of the more advanced European nations are doing. In the science of legislation we are perhaps behind England, France, and even Germany; for we are struggling with great zeal and perseverance to fasten upon the country a policy which these nations are casting off.

Politically we have declared all men to be equal; the rights of one man to be the measure of those of another; but in all other respects we are nearly as unequal in our condition as are the people elsewhere. Property, instead of becoming more equally diffused, becomes relatively more and more concentrated in a few hands. Poverty keeps pace with wealth, and even outruns it. There is as gross ignorance, as filthy wretchedness with us, though confined within narrower limits, as can be found on the face of the globe. Laws are partial, and unequal in their operation. One section of the country, or one interest is favored at the expense of another; the administration of justice is affected by the relative condition of the parties concerned; he with the longer purse, or the most influential friends, is pretty sure to have the better cause, and a rich man, though acknowledged to be a murderer, is seldom hanged; swindlers and rogues on a large scale are high-minded and honorable men; and the many are taxed for the support, or the benefit of the few.

Government maintains not individual liberty, nor does it confine itself to those labors which are for the common good of all. It is perpetually legislating for classes, for interests, and protecting one at the expense of another. Whence the cause of this failure? And what is the remedy?

One class of politicians attribute the failure to the general diffusion of democracy, to the almost universal extension of the right of suffrage; and the remedy they would propose, if they dared, is the restriction of this right to men of property and respectability, or at least to those who have a property stake in the community. The number properly qualified, in any community, for the exercise of political power, is unquestionably small. The voice of the multitude is rarely the voice of God. But the few who are qualified, are as likely to be found among those whom these politicians would exclude from the elective franchise, as among those to whom they would extend it. The ignorant multitude are as likely to be on one side of the line as on the other; and vice is as prevalent among the rich as among the poor, and altogether more dangerous. Restrict the right of suffrage to the property holders, and none of those would be excluded who are now influential in giving to government its false direction. The men who cause all the mischief are not the poor, the men who live by daily wages, but the men of property, business men, bankers, traders, speculators, and designing politicians, who want government administered for their special benefit. The restriction of suffrage, so far as it would have any practical effect, would throw still more power into the hands of these, and enable them to turn government further and further from its true end.

The evils, which obtain, result from the attempt of government to build up certain property interests. Government never makes direct war on the natural liberty of individuals; but destroys it by legislating for classes, for special interests, instead of confining itself to those measures which are equal and for the common good of all. To place it entirely in the hands of any one class, or under the control of any special interest, is merely to aggravate the evil, not to cure it. For it is the invariable nature of every class, of every interest, to wield, so far as it can, the whole force of the government for its own protection and furtherance. Found your government on property, and its whole force will be wielded in favor of property. Man, except so far as his rights and interests are involved in the protection of

property, will be disregarded, and even depressed. The evil complained of cannot, then, be redressed by restricting the elective franchise to the property holders. In point of fact, these have already too much power, and hence the evil.

Another class of politicians propose to remedy the evil by enlarging the power of the democracy. The government, they say, is too aristocratic, and ought to be made more democratic. This, if it were said in England or France, would be very intelligible, but in this country it has no meaning, or a meaning the reverse of that intended. Democracy here is triumphant; that is, if we mean by democracy the people, or the government of the people. Here all are people, and all interests popular interests. The interests fostered by government are no more aristocratic interests than those it neglects or depresses. It is no more aristocratic to spin cotton than it is to till the soil, to fit out a ship for Canton, than it is to saw wood or black boots. All are alike interests of the people, and therefore democratic interests. The people here are already sovereign. They frame the government and administer it. They make and execute the laws, determine and enact the public policy of the country. What more, then, in favor of democracy can be asked?

There are only two ways in which democracy can be politically extended in this country. The first is by removing the few remaining restrictions on the right of suffrage; the second is to abolish the constitutional checks now imposed on the action of the government. The first cannot amount to much. No man who watches elections, and comprehends the influences which decide them, can believe that making suffrage absolutely universal would vary at all their results. The second would be to increase the power of the government and to enlarge the sphere of its activity. But the evil complained of does not arise from the weakness of the government, nor from the fact, that it is restricted to too few matters; but the reverse:—from its too great strength, and from its attempting to do what government ought not to do. The proposed remedy would be merely rendering the people as a body politic an unlimited sovereign, and giving, in practice, to the majority unlimited freedom to pass any laws they please. This would lessen no evil.

On this subject of democracy our politicians fall into some mistakes. A portion of them have clear and systematic minds. They start with the doctrine, that the people are

sovereign, and proceed on the maxim that the people can do no wrong. Once clear the field for a free and full expression of the will of the people, and government would always protect the liberty of every citizen, and be administered for the common good of all; no monopolies, no partial or special legislation, no fostering of special interests, would be tolerated; no laws bearing unequally on sections, interests, or individuals, would be enacted; no iniquitous public policy would be pursued; but government, imposing burdens upon none, would shed its blessings, like the dews of heaven, alike on all, whether rich or poor, learned or unlearned, powerful or without influence. But unhappily for this theory, it is already in practical operation. It is difficult to conceive what now hinders the free and full expression of the will of the people. They are sovereign, and can do as they please. The government and laws that we now have are precisely what the sovereign people will. They vote as they please, elect such men to office as they choose to elect, and men who usually take good care to support such a policy as they believe will be most satisfactory to their constituents. How then can it be pretended, that the will of the people is not freely and fully expressed? or that if there could be a freer and fuller expression, it would vary the result?

There can be no question, that the government is not administered for the good of the great mass of the community; no question that the many are taxed, directly or indirectly, enormously for the exclusive benefit of the few; but whose is the fault? Bankers, capitalists, corporators, stock-jobbers, speculators, and trafficking politicians control the government, and in nearly all cases shape its policy. By their arts and intrigues they unquestionably succeed in giving predominance to their will over the will of the rest of their fellow-citizens. But they are a portion of the people, and therefore a portion of the democracy. They do not constitute a class apart from the democracy. The late president of the late United States Bank is as much one of the people as the hod-carrier who aided in the construction of his marble palace. In speaking of the people, the democracy, these must be included, and their will be counted the will of the people, as much as the will of any other portion of the community. In estimating the course likely to be taken by the people, we must take into the account the liability of the people to follow the advice and dictation of this portion of their number, and the interest this portion has in misleading

them, and the means it possesses of misleading them. The whole people must be included in our estimate, and taken as they are, and for precisely what they are. Whatever the result of an election in this country, it must always be taken to be as free and as full an expression of the popular will as democracy with us can collect. The fact that this will is, after all, in reality but the will of a small minority, alters not the truth of this statement. It simply proves, that in a country like ours, under a purely democratic order, or under an unlimited democracy, the will of the people that rules will always be the will of the smaller number. It shows, then, not that we should render our institutions more democratic, but that it is not in absolute democracy that we are to seek the remedy of the evil complained of. The will of the people, which it is possible to collect, can never be in advance of the people themselves. So long as the people are what they now are, made up of the same materials, with the same diversities of character, condition, and interest, no other will of the people can exist, certainly no other can be officially uttered, than that which now rules through the government.

The democratic theory, now under consideration, requires for its success a community, in which all the citizens have in all respects one and the same interest, and are all substantially equal in position, wealth, and influence. Whether such equality and such identity of interests be or be not attainable, be or be not desirable, neither one nor the other is attained here. As men all are indeed equal, and so far forth as men, they all have the same interests; but as members of the community their conditions are diverse, their callings are different, and their interests are often hostile one to another. Their interests, so far forth as men, are not, as democracy demands, the interests which predominate. These interests count for little or nothing with electors and legislators. In elections and legislation the interests which predominate are never those which belong alike to all men, but the special interests of classes, sections, or individuals. Men are governed at the polls, and in the legislative hall, by the same passions and interests which rule them in the ordinary business of life. No man, when he acts as an elector, or as a legislator, divests himself, or can divest himself, of these passions and interests. They are his life. The planter votes and legislates for the planting interest, the farmer for the policy that will advance the

price of wheat, the manufacturer for that which will pay him a bounty on his wares, and the stock-jobber, or speculator, for a paper currency as best adapted to his gambling propensities. Each demands a policy most favorable to that branch of business in which he is specially interested. The several special interests of the country go to the polls, each pitted against the other, and the stronger triumphs, possesses itself of the legislature, and wields the whole force of the government in its own favor. This is inevitable in a democracy, where there are diversities of interest. The stronger interest, by whatever means it is the stronger, whether by numbers, wealth, position, talent, learning, intrigue, fraud, deception, corruption, always possesses itself of the government, and taxes all the other interests of the community for its own especial benefit.

This fact is not duly considered by our democratic theorists. They tell us the voice of the people is the voice of God; that what the people will is for the good of the whole; but however this may be in some refined transcendental sense, in practice the will of the people is the will of that interest in the community, which is able to command a majority, and the voice of the people is the voice of that interest. Political theories must be tested not by their abstract beauty and excellence, but by their practical operations, the people being taken just as they are. In Fourth of July orations, or in caucus speech, the noblest sentiments, the purest and loftiest enthusiasm for justice and humanity, are always received by the assembled mass with the heartiest rounds of applause. Appeals to patriotism and philanthropy will always make you most effective as an orator, or as a writer; but patriotism and philanthropy, when carried to the polls or into the legislative hall, are identified by each man with the special protection by government of his peculiar interest. Patriotism and philanthropy with the planter are in his cotton-bags, with the farmer in his wheat-field, with the manufacturer in his spindle and loom, with the banker in his notes, with the merchant in his ship or counting-room. What most benefits ME, is most patriotic and for humanity. No government will work well, that does not recognize this fact, and which is not shaped to meet it, and counteract its mischievous tendency.

There is altogether too much fulsome flattery of the people, too much nonsense uttered about independent voters. One-fourth of your independent voters will not take the

trouble to go to the polls, unless called out by more zealous partisans; and the party which can make the most noise, and has the most money to spend for electioneering purposes, will always be able to call out the larger portion of them, and usually enough to decide a closely contested election in its own favor. Nearly as many more make it a rule to vote always with the stronger party, and always do vote with that party which they believe has the greater likelihood of succeeding. Of the remainder, not one in ten has any clear conception of the questions at issue, or any tolerable judgment of what will be the practical operation of one policy or another.

With these facts staring us in the face, it seems idle to seek a remedy for the evils complained of in a further extension of the democratic principle. The form of our government is already as democratic as need be; and were it made more so, it could only aggravate the disease, so long as there is in the community the present inequality of conditions, or the present diversity of interests. This remark will of course be offensive to our demagogues and trading politicians, whose stock in trade consists mainly in their ability to scream democracy, DEMOCRACY, in our ears from morning to night, and from year's end to year's end. It will deprive them of many of their present facilities, should it gain credit with the people, and render it somewhat doubtful whether this ability to scream democracy does in reality of itself qualify a man for any and every office from path-master to president of the United States. But as this is a sacrifice demanded by the public good, perhaps these pure patriots will consent to make it.

In these remarks nothing is said against democracy, when interpreted to mean, as many of our friends interpret it, a government which is so constituted and administered, as to maintain the natural liberty of the individual and to perform those social labors, surpassing the reach of the individual, demanded by the common good of all. But when democracy is so interpreted, the *end* of government is confounded with its *form*,—an error into which we ourselves, we are sorry to say, have on some occasions fallen. That what is thus declared to be democracy, is the end that government should aim to realize, that which it should be so constituted and administered as to realize, is unquestionably true. But the purely democratic form of government, that is, a form of government which recognizes the absolute sovereignty of

the people, and leaves the ruling majority the unlimited freedom to do whatever it pleases, will not secure this end, as is abundantly proved by the considerations already alleged. Democracy, when it is interpreted to mean the end to be gained, is worthy of all acceptation; it is defective only as a means. It cannot as a form of government secure the end proposed, because there are in the country a diversity of conflicting interests, and the government must always take the direction of the stronger interest; which with us has been heretofore, if not now, what may with sufficient accuracy be termed the interest of business capital. The government, following the direction of this interest, can be for the common good only on condition that the interest of all classes, sections, and individuals is identical with the interests of the small minority engaged in business.

Nor is this all. The interest which triumphs, and obtains for itself the fostering care of the government, is not in reality promoted thereby. The specially protected interests, in the long run, suffer in consequence of the very protection they receive. This is now admitted by the more enlightened statesmen both at home and abroad. All interests prosper best under that government which proceeds on the maxim, "justice to all, favors to none." In political economy, as well as individual, a departure from the principles of common justice breeds confusion, hostility, and brings with it a day of terrible retribution. The laws of God, whether for individuals, or for societies, are equal and just, opposed to all favoritism, to all special privileges, and in neither case are they ever transgressed with impunity. But all interests are short-sighted. The dram of protection exhilarates to-day, and they think not that it will debilitate to-morrow, and finally, if persisted in, destroy the system.

The evils of government all proceed from its attempts to protect or further special interests; that is, from not confining itself to those matters, or to such lines of policy as necessarily affect all interests and all individuals alike. The interests of a community are two-fold, those which are common to all its members, and those which are peculiar to classes, or to individuals. The first only are proper objects of government. True statesmanship consists in so constituting the government, that it can never, in its practical operations, obtain any power to act on any matters but these.

Government should be so constituted, as to operate for man, not for his accidents. It should legislate not for the merchant, the manufacturer, the farmer, the planter, the speculator, the banker, the laborer, but for the man. The problem to be solved is, how to constitute and administer the government so as to recognize always, and in all its practical bearings, the supremacy of the man.

Aristocracy with us is not the solution of this problem, because the aristocracy, whatever its basis, birth, wealth, learning, or military service, will always administer the government for the exclusive benefit of the aristocratic class. Monarchy will not answer, because there every thing must bend to the glory of the monarch. Democracy will not answer, because it concentrates all power in the hands of the ruling majority for the time, and that majority will always consist, as has been shown, of the stronger interest in the community, and therefore of the interest that should be checked rather than suffered to rule. The common vice of all these systems, as of all conceivable absolute governments, is in their CENTRALISM. All power is centered in the government, and the interest, class, or individual oppressed or neglected, has no effectual veto on its tyrannical acts.

The great and difficult problem for the statesman, but at the same time his first and indispensable duty, is to provide a veto on power. No government can operate well, where there is no power in the community to arrest it, peaceably and effectually, whenever it runs athwart the interests or the rights of the people at large, or of any portion of them. The prosperity of Rome dates from the establishment of the tribunitial power, which was a veto on the government; and it continued till both the government and veto power were absorbed in the emperor. Then centralism triumphed. All power was in the same hands, in one and the same body, and Rome declined and fell. The merits of the old feudal system, now so universally repudiated, consisted in the veto the great vassals had on the crown, and on each other. England is indebted, for the stability and beneficial influence of her government, to the imperfect veto her house of commons has, in granting or withholding supplies. In Poland the veto power was carried too far, and proved the ruin of the republic. But always, in order to secure good government, must there be somewhere in the state the POSITIVE power called the government, and a NEGATIVE power, naturally and peaceably arresting the action of the government, whenever it attempts to play the tyrant.

These two powers must be lodged in different hands. For the veto power is nothing, if vested in the government itself. It would then be only the government vetoing its own acts. It must be separated from the positive power, and placed in other hands, as was the case at Rome. The patrician order governed, but the plebeians, through their tribunes, could veto its acts. The patricians, therefore, while they constituted the governing power of the state, could enact no laws, pursue no line of public policy, which would not be so far acceptable to the plebeians as to escape the tribunitial veto. But if this veto power had been lodged in some branch of the senate itself, or in a portion of the ruling order, it would have been no veto at all; because the interest that must exercise it, if exercised at all, would have been the very interest against which it must be exercised.

It may be assumed, then, as an axiom in political science, that in order to secure a wise and just administration of government, there must be a division of powers into positive and negative, and the negative power must be placed in such hands, as will have a direct interest in interposing it against the encroachments of the positive, or governing power.

Till quite recently nearly all American statesmen have recognized the necessity of a veto power. They have not, however, always perceived the necessity of placing it in a distinct organization. They have sought to obtain it by various artificial divisions in the positive power itself, and have trusted to the ruling interest to veto its own acts,—at least to some considerable extent, and wholly where circumstances were not against them. The necessity of a limitation on the exercise of power has been felt by all; but, except in the case of the federal government, they do not appear to have had any clear conceptions of the nature of the limitations demanded, nor of the effectual means of constituting it. The methods they have for the most part relied on, are frequency of elections, the division of the legislative branch into two houses, the executive veto, and written constitutions. Frequency of elections is well, as far it goes, but is by no means an effectual veto. For it rarely happens that the veto is needed, when it must not be exercised against the majority of the people themselves, as well as against a majority of their representatives in the legislature. The new elections will then almost always return men pledged to the obnoxious policy, and the acts of the new house will need vetoing as much as those of the old.

The division of the legislature into two houses answers a good purpose, when, as in England, they are differently constituted, and really represent different interests, but in this country, for the most part, the two houses represent the same interest, and differ from each other only in the fact that one is more numerous than the other, as is evinced by the fact that the instances of disagreement between the senate and the house are few, and comparatively trifling. Both houses are usually of the same political complexion. Nevertheless, this division, when the members of one house are chosen for a longer term of service than those of the other, or when the local interests of the state are such, that by making the members of one house more numerous than those of the other, one may be made to represent different interests from those represented by the other, answers a good purpose, and to some extent secures the veto power demanded.

The executive veto is inefficient, from the fact that it will rarely be exercised. The executive is in all cases chosen by the people at large, or by the legislative branch of the government. In most cases his term of office is the same, or very nearly the same, with that of the members of the legislature, and he must therefore agree with the ruling majority in his politics; and will for the most part represent the same interests. In general, then, the chances are much greater that he will approve an improper exercise of power on the part of the ruling majority than that he will veto it. In a few instances, the presidential veto has been exercised against the wishes of the political friends of the president, but never when there was not good reason to believe that a majority of the people would sustain it.

Written constitutions are indispensable in this country; but mere written constitutions impose only a slight restriction on the power of the ruling majority. If there be not a veto power behind them, in the very constitution of the commonwealth, able and interested in sustaining them, they will be violated with impunity whenever the ruling majority find them in their way. In the estimation of those who have the power, that is always constitutional which they believe to be conducive to their own especial interests. The minority may protest, adduce the very letter of the constitution, but what avails it? Power cares not for a few slopes, curves, and angles, drawn on parchment. It cares not on what rights or interests it tramples. It goes straight to its

object, from which nothing can avert it, but an antagonistic power, which effectually resists it. Experience abundantly proves this. Nothing is more evident than the unconstitutionality of a United States bank, and yet there has been scarcely a congress from the origin of the federal government not ready to charter one; the constitution authorizes no tariff for protection, as the advocates of the protective policy admit, by the fact that they never dare bring in a bill for protection that declares on its title its purpose, and yet the protective policy has been able to command large majorities in congress and among the people. No law can be more right in face and eyes of the constitution than that of the extra session of congress last summer, distributing the proceeds of the public lands among the states, and yet it found a majority in both houses of congress in its favor, and received the executive sanction. These and numerous other instances show that written constitutions are as mere waste paper when in the way of ruling majorities.

There is a mistake in regard to constitutions, somewhat prevalent, fraught with much mischief. It is supposed to be the easiest thing in the world to frame a constitution, and therefore to secure the wise and just administration of government. Let the people assemble by their delegates in convention, debate for three or four months, and then draw up an instrument, which, when ratified by the people in their primary assemblies, shall be a constitution, the fundamental law of the land. All this is well enough. But what makes this instrument a constitution, a fundamental law? Does the convention merely draw up an instrument? or does it give a constitution to the body politic? The common opinion seems to be, that it merely draws up an instrument with a certain number of articles and sections, and declares that that shall be the law, according to which the government shall be administered or power exercised. But where is the guaranty that power will be so exercised, that the sovereign authority will not transgress its provisions? The common reply will be, that the people who make the constitution will see that it be not violated. This is the mistake.

Constitutions are intended to be a restriction on power, and are needed because power has a perpetual tendency to exceed wholesome limits. But, with us, power is the people. The people here are the sovereign authority. Constitutions are needed, then, to be a check on the people, a

limit to their power, in order to save us from the calamities of absolute government. To form a constitution and entrust its preservation to the people is, then, a manifest absurdity; for then the very power is relied on to protect the constitution from violation, which the constitution is created to restrict, and from which alone the violation of the constitution is to be apprehended. It is like locking up the culprit in prison, and entrusting him with the keys. To say that the people will voluntarily, of their own accord, sustain a constitution that restricts their sovereign power, is only saying that they will voluntarily, of their own accord, forbear to exercise that portion of their power so restricted. What, then, is the use of the constitution? It affords no additional security; but leaves us right where we should be, in case we had no constitution at all. We have with the constitution nothing but the discretion or pleasure of the sovereign on which to rely, and we should have that without the constitution. In this view of the case, constitutions are a great absurdity.

Let not these remarks be misinterpreted. Nothing is intended against constitutional governments; but the reverse. Constitutional governments are the only governments which really secure the freedom of the subject or citizen. But, then, they must *be* constitutional governments. The constitution must be something more than the roll of parchment, with its slopes, angles, and curves. To make the constitution is not to draw up the written instrument, but to organize the body politic, to constitute its several powers; and if we really intend it to be a constitution, so to organize the state as to have always a negative power capable of arresting the positive power, whenever it is disposed to exceed the bounds prescribed to it. The constitution, then, must virtually consist in the manner in which the different interests, classes, sections, or natural divisions of the community are organized in relation to the government. The great point to be kept always steadily in view, is the constitution of the veto power. The positive power can always take care of itself. There is rarely any danger that it will not be able to do all the good that the community requires. The danger is that it will absorb too much into itself, and become tyrannical and oppressive. Almost the sole art in constituting the government consists in devising an effective veto, one that shall operate naturally, peaceably, when, and only when, it is required.

The constitution of the veto is by no means an easy problem, nor will it admit of an arbitrary solution. It must have its reason and origin in the previous divisions, habits, conditions, or institutions of the country. In some countries it is almost, if not quite, impossible to constitute a veto power; in others it already exists, if statesmen but knew how to avail themselves of it. In one sense it is always the people that possesses and exercises the veto; but not the people as a whole, constituting one simple body, but the people taken in parts. The whole people, through the majority, are the positive power, the governing power; the negative power must be sought in the parts, and secured by so constituting or organizing the parts, that each part, when an oppressive measure is attempted, may have an effectual veto on the action of the majority, or positive power. But where these parts do not already exist, or where the population of a country, or its natural or geographical character, the productions of the soil, or the pursuits of the people, do not permit the organization of the community into distinct parts, the constitution of a veto power is nearly or quite impossible; and such countries seem doomed to all the horrors of eternal despotism. Liberty is not for them, except as it comes from abroad and through conquest. Conquest by foreign powers may introduce upon the soil a new race, which by virtue of its previous habits, institutions, divisions, coexisting with those of the conquered race, shall furnish them the necessary elements, and pave the way for the eventual establishment of an effectual veto power, and thus save them from despotism, and bring them into the family of the free. This is the process by which western Europe was redeemed from the despotism into which imperial Rome had degenerated. Modern Europe owes its freedom, saving the moral influence of the church, to the conquests of the northern barbarians. England owes hers to the Norman conquest. The barbarians, by their military divisions and possession of the land, furnished the feudal lords; the conquered population, by being forced into industrial pursuits, gradually emerged into communes, commons, and third-estate. The superiority of the English commons over the corresponding class in continental Europe is owing to the fact, that their ranks were recruited by the old Saxon nobility and gentry, dispossessed of their former rank and estates by the followers of the Conqueror. In western Europe and in England, conquest supplied the elements out

of which free government could be ultimately constructed, by instituting such divisions as could be made available in time for the constitution of a veto on the sovereign power.

In this country we have been favored by Providence. Here the constitution of the veto power is more natural and easy than anywhere else; and our statesmen have not entirely overlooked it, though they have not made as much of the opportunities afforded them, as they might, or should have done. Two parties existed at the origin of our government, both honest no doubt, but each tending to push the other to extremes, and both conspiring to give the government a false direction. Both really desired to obtain a veto power, but neither understood precisely how it should be constituted; neither in fact took the right course to obtain it. The jealousy was rather of the power of classes than of the power of the sovereign. One party wished to place a veto on the power of what it called the mob; the other, on the power of what it termed the aristocracy. The first sought its end by laboring to lodge the sovereign power exclusively in the hands of the well-born, the gentlemen, and the holders of property. This would undoubtedly have been an effectual veto on the power of the poorer classes, but none on the power of the government. The positive power of the state would still have been unlimited, and in hands, too, even more liable to abuse it, than would have been the poorer classes it was proposed to exclude. The government, if unlimited, is safer in the hands of the simple-men, than in the hands of the gentlemen; and the democracy, to use the term in its old sense, may be more safely trusted than the aristocracy.

The other party sought to place a check upon the aristocracy, the gentlemen, and men of property, by rendering suffrage universal. They were right, as far as they went. But their system could not be effectual; for, in the first place, it imposed no check on the sovereign power itself, which was the main point; and none in fact on the aristocracy, because the gentlemen, the men of birth, education, manners, and property, could always be the most influential, and thus control the elections and the government. In point of fact, this second policy has furthered the aims of the first; and the old party which called "democracy an illuminated hell," finds now that it is through democracy it can most effectually secure the triumph of the aristocracy. Hence it claims to be *the* democratic party of the country.

The struggle between these two parties has engrossed almost wholly the attention of our statesmen, and prevented them from considering, so expressly as they should have done, the all-essential point of constituting the veto power, where it would amount to something. The government, whether lodged in the hands of the gentlemen or the simplemen, will be tyrannical and oppressive, if the oppressed party have no effectual means of resistance except that of rebellion, which would end, even if successful, as it does in the Asiatic nations, only in displacing one tyranny, and substituting another equally bad. Nevertheless, the veto has not been altogether overlooked. In the constitution of the federal government we have it in as perfect a form as can be desired. Providence prepared the way for it, by so ordering it that the country should be settled by distinct colonies, independent one of another, which at the revolution could become free and independent states. By the union of those states into a single body politic, for certain specific purposes, we obtain the two powers needed. The American people, acting through the federal government, as one people, constitute the positive or governing power; the states, each in its separate, independent capacity, constitute the negative or veto power. The positive power is that of the majority. The majority of the American people govern through congress. This is right. This is the only possible rule that can be adopted; and the maxim so common among our politicians, the majority must govern, is accepted. But the majority, according to the constitution, is not absolute. It has a right to govern only within certain limits. Whenever it transcends, in its acts, those limits, its acts are unconstitutional, and therefore null and void from the beginning. When it so transcends, there is, by means of state organization, a veto power to arrest it. By this the constitution of the Union is rendered a real constitution—a constitution of the people, and not a mere roll of parchment. There is a power behind the written constitution, different from the authorities created under it, capable of compelling its observance. A state is to the Union what the tribune was to the Roman senate. When the Union enacts a law which transcends the constitution, and every law does transcend the constitution, that bears unequally on the different states, the state can interpose its veto and arrest its action. The veto sought by means of universal suffrage, that is to say, the veto of the individual citizen, is too feeble to amount to

any thing; but the veto of a state will always be as effectual as was that of a Roman tribune.

This veto power is no artificial creation, but is inherent in the constitution of American society. No objection can be brought against its exercise. It can never be exercised except against an unjust and unconstitutional law. A state will interpose its veto only against such a law as bears with peculiar hardship upon itself, which oppresses it for the benefit of some one or more of the other states. No state will complain of a law from which it does not suffer, or refuse to submit to a law from which it suffers no more than its sister states. A law affecting all the states alike, and so burdensome as to demand the interposition of the state veto, would be so odious to them all, that its repeal, without a resort to the veto power, could be easily effected. The laws of human action forbid us to fear an interposition of the veto without just cause. The Roman tribunes, it does not appear, even interposed their veto except when the senate proposed a law which threatened to be peculiarly oppressive to the plebeians; and the English house of commons has never interposed its veto, that is, withheld the supplies, except in the last resort, as the only means left of forcing the government to a redress of grievances, or the abandonment of an oppressive policy. It may be assumed as an axiom, that a state will never interpose its veto, except when the acts of the general government are peculiarly oppressive to its citizens, ruining their interests, for the promotion of those of other states. Now, all such acts are, from their very nature, unconstitutional. The federal government has no right to impose, directly or indirectly, any heavier burdens on one state than on another. Its taxes must be laid equally upon all, according to a uniform census; and its measures, to be constitutional, must be for the uniform benefit of all the states. The measures then which a state would veto, would be always unconstitutional measures, and therefore null and void from the beginning. The veto would then always be interposed to save the constitution, never to destroy it.

The state veto will always be effectual. One of three things must inevitably follow its interposition. The government must reduce the vetoing state by force; obtain a new grant of power; or yield to a compromise. The first is out of the question. There will always be one or more states to sympathize with the vetoing state, that will

not consent to the employment of force against it; and individual volunteers from all the states, from various motives, will always rush to its support; so that no trifling force will be requisite to subdue it. The states in favor of the policy vetoed, strongly desirous as they may be of carrying it into effect, will pause before resolving to do it at the expense of a protracted and bloody civil war, and will rather choose to abandon the policy, than sustain it at such cost. The second alternative will rarely, if ever, occur. A glance at the geographical character of the country will show us that a policy bearing so hard on any one state as to induce it to resort to its veto, will always be opposed by more than one-fourth of the states; a power to carry the measure into effect can never be obtained, if one-fourth of the states join the vetoing state. Nothing remains, then, but the last alternative. The government must yield to a compromise of the difficulty; and consent to abandon, as soon as may be, the obnoxious policy. The state veto will, then, always be an effectual, peaceable, and orderly remedy. The knowledge of its existence, and the certainty that it will be interposed when occasion demands, will operate as a salutary check upon the government, and serve to keep it so uniformly within constitutional limits, that a resort to the veto will rarely, if ever, become necessary.

This veto power, which Providence, and not man, seems to have constituted for us, has in most cases been overlooked, or undervalued by our statesmen. This is bad. For though it is almost impossible to constitute an effectual veto power, where it does not exist, it is an easy thing, through a false political theory, to abolish it, when provided. The veto power has not done us all the service it might, in consequence of the centralizing doctrines which have prevailed; and because the attention of our statesmen has been turned in other directions. Let the true theory of our constitution once be brought out, and understood by the people of the several states, and the veto power will be saved, and be found capable at all times of saving the constitution. With this power fairly recognized as an integral element in the constitution of American society, the American government must appear to all competent judges, as a miracle of wisdom, and adapted to any conceivable extent of territory, and fitted to endure for ever. It combines all the excellencies of the Roman and English governments; nay, of all preceding governments, without any of their defects. It is the most

wonderful creation of political science the world has ever beheld; the *résumé*, if one may so speak, of all the past political labors of the race, the latest and noblest birth of time. Nothing is wanting to it, but to be comprehended, accepted, and administered in its true spirit.

In regard to our state governments, we have been less successful in constituting the veto power; and what is worst of all, we have made no progress in obtaining it. On the one hand, there has prevailed the centralism of the aristocracy; that is, of such an aristocracy as the country has been able to produce or import, not very respectable, and hardly deserving to be called an aristocracy; and on the other hand, we have had the centralism of democracy. The tendency has been, however, steadily in favor of the democratic centralism, which is the better tendency of the two. Every new revision of the constitutions has tended to bring our governments nearer and nearer to the character of pure democracies. This has been effected by the gradual elevation of the laboring classes, but more especially from the disposition of demagogues and political aspirants to court the multitude; and from the fact, already mentioned, that the party, formerly in favor of giving the government an aristocratic cast, have discovered that they can obtain all by means of democracy, they hoped from aristocracy, and without incurring the odium of being opposed to the democracy. This party, made up at present, for the most part, of the money-changers, who now, as of old, turn God's temple into a den of thieves, are so pleased with democracy, and find that they can so easily secure the preponderating influences in elections and in the legislative hall, that they have no wish to return to the high-toned doctrines of the old Federal party; but would resist such a return with as much firmness as any portion of our countrymen. Both parties, under this point of view, have come on to the same ground; and are vieing with each other, which shall be the most democratic. Both parties combine their influence to establish democratic centralism; that is, to render the government an unlimited democracy; the one party, because it knows it can always use the democracy in furtherance of the views of the aristocracy; and the other, because it hopes to secure thereby a preponderating influence to the poorer and more numerous classes. Between them both it will go hard, but CENTRALISM, which is but another name for ABSOLUTISM, shall triumph, and freedom and good government

be indefinitely postponed. This is now the predominating tendency, which every statesman, every patriot, and every philanthropist must struggle to arrest, before it shall be too late.

But the constitution of the veto power, within the states themselves, even if these dangerous centralizing doctrines of our politicians were abandoned, and the attention of all turned towards it, would be exceedingly difficult, and all but impossible. In the Union, it is, as has been seen, comparatively easy. The Union spreads over a vast extent of territory, with many varieties of climate, soil, and productions, which create distinct, sectional interests, embracing entire states, and therefore capable of being organized, each into a veto power on the other. This indicates the importance of an extended territory; and shows us that our federal system must work the better in proportion as the field of its operations becomes extended and varied. Were it to extend over the whole continent of North America, as it one day must, if continued, it would be altogether more beneficial in its operations, and stronger and more likely to be permanent than now. These sectional interests, from the mutual hostility of which, so much evil is apprehended by narrow-minded and short-sighted politicians, are the very life and support of the system. If the Union were not extensive and varied enough to create them, the horizontal division of parties would universally obtain, by which the whole power of the government, with no effective veto, would be thrown into the hands of the upper classes, who would invariably make it an instrument for oppressing yet more the poorer and more numerous classes. Of all possible divisions of parties, this horizontal division is the worst, the most dangerous, and the one against which we should labor the most strenuously to guard; for, where it occurs, the lower strata must bear the whole weight of the upper. But with the great extent of territory, and diversity of interests, presented by the Union, parties will divide geographically, and consequently so that each party may have within its ranks a proportional share of the wealth of the community; and will be so constituted, that the interest represented by one party can be organized into an effective veto on the preponderance of that represented by another. Where there are so many interests, each embodying the force of an entire state, the federal government must be held in check. No one interest will consent to be sacrificed to another. Each,

then, will struggle to prevent the government from granting any special protection to another; and the result must be, that the government will, as it should, abandon the policy of specially protecting any interest, and confine itself to the *common* good of all. When government is so confined, it operates always wisely, justly, in favor of freedom and national prosperity.

But when we come within the bosom of the states themselves, the whole aspect is changed. In the Union, it suffices to give one sectional interest, by means of state organization, a veto on another; but in the state itself it is not against the preponderating influence of one sectional or geographical interest over another, that it is necessary to guard. The territory is, in general, too small, and the interests of all parts of the state are too much the same, for these sectional interests to become of much importance. Parties in the bosom of the state rarely, if ever, divide geographically, but almost uniformly, especially in the non-slave-holding states, horizontally. Parties are classes, with merely individual exceptions. Take the two parties which now exist, and one will be found to embrace much the larger portion of the wealth of the community, nearly all the active business capital of the country, while the other is made up of small farmers, journeyman mechanics, and common laborers. At least, this is eminently so in the New England states; and it is becoming more and more so in the middle and western states, in proportion as the effort is made to render government more just and equitable in its operations. This is a serious fact, and one from which the saddest consequences are to be apprehended. With this division of parties, as has already been said, power is all on one side. The poorer and more numerous classes are no match for the wealthy and more influential minority. Universal suffrage serves but to delude them. For wealth can command votes, if not always at the polls, at least in the legislative hall. The United States Bank, when it represented the money power, though unable to prevent the reëlection of General Jackson, never failed to have a majority in both houses of congress. The upper classes can always triumph, when they think it worth their while to make the effort. Let them once bring the weight of their personal characters, their influence as employers and creditors, to bear, as they always will when there is any thing important enough at stake, and the poorer and more numerous classes, with justice, patriot-

ism, and intelligence on their side, are before them but as the chaff of the summer threshing-floor before the wind. They sweep over the country in one wild destructive tornado, as they did in 1840. There are no arts too base for them to adopt, no oppressions too gross for them to practise, no corruption and bribery, no fraud and misrepresentation, too barefaced for them to countenance, in order to secure their triumph. Having the wealth of the country, they can easily command all that is base and profligate in the community, and be sure of the services of every Iscariot that will betray the sacred cause of freedom and justice for "thirty pieces of silver." Even men, who have generally the reputation of being high-minded and honorable men, from whom better things might be expected, will consent to quaff "hard cider," or play the buffoon, in order to cheat the simple and unsuspecting out of their rights. The election of 1840 reads to the statesman and patriot an instructive lesson. A reaction has indeed taken place for the moment, for there is at present no call for similar exertions; but it will go hard, but similar or worse scenes will be re-enacted whenever the upper classes feel again that power is slipping from their grasp, and that it is necessary to rally to prevent the government from being restricted to its constitutional duties.

The evil to be guarded against in the states, especially the non-slave-holding states, is this tendency to a horizontal division of parties. With this division, it may be taken for granted, that power will be always virtually, if not nominally, in the hands of the upper strata of society; and the poorer and more numerous classes must be governed for the benefit of the wealthy and more influential minority. The only possible remedy is in the constitution of some veto power, which shall arrest the government, whenever it attempts to act on matters not common to all classes, or to pass laws not for the common good of all. This is the kind of veto needed in the states; a veto operating naturally and effectually to prevent the wealthier and more influential classes from pursuing any line of policy bearing with peculiar hardship on the poorer and more numerous classes. The constitution of such a veto power is the problem, and, it need not be disguised, that it is a problem of most difficult solution.

It was partly in consequence of observing this tendency, in all small communities, to divide horizontally, and per-

ceiving that in such a division power was, and must be, on the side of the upper stratum, that we were induced, some time since, to suggest the bold and energetic measure of changing the law, by which property now descends from one generation to another. We saw no way of preventing this horizontal division, but by rendering each member of the community an independent proprietor. The substantial equalization of property, could it be effected without violence, by the gradual and natural operation of a just and uniform law, we felt would abolish the distinction of classes, and give to each man his proportional share of influence. All being proprietors, and virtually possessing in themselves the means of subsistence, without depending on wealthy capitalists, the interests of all, so far as government is concerned, would become so nearly the same, that no one would have an interest in obtaining, or be able to obtain, any law not bearing equally on all the members of the community. We still see no effectual measure of curing entirely the evil complained of, short of the one we proposed,—a measure which has been received with almost one universal shriek of horror. We still insist that the measure we suggested is deserving the serious consideration of our statesmen. Nevertheless, we have, as we had when we suggested it, no hope of its adoption. It therefore enters for nothing in our plan of organizing the state, or administering the government. The practical statesman, however he may theorize in his closet, never, when he goes forth to act, wastes his strength in vain efforts to effect what he knows, in the circumstances in which he is placed, to be an impracticability. When he cannot adopt the means he believes would be most effectual, he consents to adopt the best within his reach. However beneficial might be the proposed change in the statute of distributions, the class of society that would oppose it, have now the power, and it would be impossible to dispossess them without the aid of the change itself; and perhaps, were we able to obtain for the poorer and more numerous classes power enough to effect the change, we could, without much harm, dispense with effecting it. That change, if it ever comes, and come one day it must, will be effected, not by the direct action of the civil government in assuming the initiative, but through moral and religious influences, creating a higher order of civilization, and involving a new and different organization of the race;—an organization resting for its foundation, not on wealth, nor military force,

nor the accident of birth, but on CAPACITY. The day for that organization is far distant. The new church will perhaps usher it in, or usher in something better. In the mean time government must be organized with such materials as we have at hand, and do the best it can with the race as they are, and as they gradually become. With all we can do, the wail of sorrow, from the heart of the true man, over the sad doom of the poorer and more numerous classes, must yet longer be heard. Their friends are few and without influence; or, if they have influence, they lose it the moment they attempt to befriend them.

Nevertheless, that were a detestable philosophy that left us nothing but to wail over incurable evils. Shame on the statesman, on the philanthropist, that can do nothing but sigh and weep! Something can be done. He blasphemes God, who utterly despairs. The division into towns, or small communities, as in our New England states, though it in some measure favors the horizontal division, is not without its beneficial effects. It serves many valuable municipal purposes; and by creating a large number of small offices, and bringing the people frequently together for town affairs, in which almost every citizen takes part, has a happy effect in cultivating the intelligence and independent spirit of the people. The division of the state into small districts for the choice of one branch of the legislature, and into larger, for the choice of the other, and giving to the members of the separate branches a different term of service, are not without use, and in some of the states answer an important purpose.

But for the present our main reliance must be on the federal government. The legislation which operates the most to the disadvantage of the poorer and more numerous classes is that which concerns currency and finance. The state legislation on currency and finance is determined almost solely by the general policy of the federal government. Abstract the laws relative to the banking and credit system, together with the protective policy, and not much legislation would be left specially injurious to the poorer and more numerous classes. The paper system, which has proved so ruinous to the country, will not long survive in the states its abandonment by the general government. The protective policy, which taxes the southern planter and northern laborer for the especial benefit of the capital invested in manufactures, depends entirely on the federal

government, which will not be permitted to continue it. With these two systems will fall most of the measures, bearing with oppressive weight on the poorer classes. The laborer will be lightened of his burdens; he will retain in his own hands a larger proportion of the proceeds of his labor; and gradually emerge from his unfriendly condition to one in which he will have more independence, and consequently more weight in the affairs of his town, and more power to protect himself in the state. In the meantime, improvements will continue to be made in the science of legislation. The state most favorably circumstanced will take the lead. Its example will influence other states; and gradually, by being on the alert, by availing ourselves of every favorable opportunity, we may hope the state governments will ultimately come to be as wisely constituted for their internal purposes, as the federal government now is for its sphere of action.

We have gone, thus elaborately, into this subject of constitutional government, because it is important in itself, and one almost generally neglected by our politicians, and also, because we have wished to give our own views, which have in some instances been misapprehended by our political friends, more fully and at greater length than we have heretofore done. From the fact, that we have objected to an unlimited democracy, we have been supposed to be unfriendly to democratic governments. But we contend earnestly for the popular form of government; we only object to an unlimited government, whatever its form. We are in favor of limiting the sovereign power, wherever that power be lodged; that is, we demand CONSTITUTIONAL GOVERNMENT; and constitutional government exists for us as a mere name, *unless there be in the organization of society a power which can effectually preserve the constitution, whenever the government is disposed to violate it.* This power we call the negative or veto power of the state. The constitution of this power we hold to be the main problem in the organization of government and we are unable to conceive of any safeguard for the liberty of minorities or of individuals without it. This is the extent of our anti-democracy. For this we have called aloud, for its importance seems to us hardly suspected by the mass of the people, and overlooked by the majority of leading politicians,—we were about to say, of all parties. But we will not say so. The Republican party, the old state rights party of '98, are

beginning to see its importance more clearly than heretofore, and promise, unless we greatly misread the signs of the times, to come into power and place in 1844, on true constitutional ground. The trafficking politicians and "spoilsmen," of which that party, as well as others, has its share, will of course reject the doctrines we have set forth, as they ever do all doctrines which go to secure a wise and just administration of government. All this portion of the Republican or any other party want, is the power to plunder the people, to reward themselves and partisans for their *patriotic* services. But we trust their counsels will not prevail, that the sound portion of the party will for once count for something, and succeed in placing the government on the constitutional track. If so, the doctrines we have humbly set forth will come into power, and with them the country will be safe; and the experiment of the American people to establish a wise and just government, operating always naturally and without violence, in favor of individual liberty and the common good, will not prove a splendid failure. At any rate, if this very imperfect essay tend to awaken the attention of the people, and turn it to the paramount importance of CONSTITUTIONAL GOVERNMENT, our purpose will have been accomplished.

DEMOCRACY AND LIBERTY.

[From the Democratic Review for April, 1843.]

OUR Democratic brethren are upon the whole a fine set of fellows, and rarely fail to take whatever turns up with great good humor; otherwise we should expect to lose our ears, if not our head, for the many severe things we intend in the course of our essay to say to them and about them. We shall try them severely; for we intend to run athwart many of their fondly cherished prejudices, and to controvert not a few of their favorite axioms; but we trust they will be able to survive the trial, and to come forth as pure and as bright as they have from that which the Whigs gave them in 1840.

Mentioning this 1840, we must say that it marks an epoch in *our* political and social doctrines. The famous election

of that year wrought a much greater revolution in us than in the government; and we confess, here on the threshold, that since then we have pretty much ceased to speak of, or to confide in, the "intelligence of the people." The people, the sovereign people, the *sovereigns*, as our friend Governor Hubbard calls them, during that campaign presented but a sorry sight. Truth had no beauty, sound argument no weight, patriotism no influence. They who had devoted their lives to the cause of their country, of truth, justice, liberty, humanity, were looked upon as enemies of the people, and were unable to make themselves heard amid the maddened and maddening hurrahs of the drunken mob that went for "Tippecanoe, and Tyler too." It was a sorry sight, to see the poor fellows rolling huge balls, and dragging log cabins at the bidding of the demagogues, who were surprised to find how easily the enthusiasm of the people could be excited by hard cider and doggerel rhymes. And we confess that we could hardly forbear exclaiming, in vexation and contempt, "Well, after all, nature will out; the poor devils, if we but let them alone, will make cattle of themselves, and why should we waste our time and substance in trying to hinder them from making themselves cattle?"

An instructive year, that 1840, to all who have sense enough to read it aright. What happened then may happen again, if not in the same form, in some other form equally foolish, and equally pernicious; and, therefore, if we wish to secure to ourselves and our posterity the blessings of freedom and good government, we must secure stronger guaranties than popular suffrage and popular virtue and intelligence. We for one frankly confess,—and we care not who knows it,—that what we saw during the presidential election of 1840, shook, nay, gave to the winds, all our remaining confidence in the popular democratic doctrines—not *measures*—of the day; and we confess, furthermore, that we have seen nothing in the conduct of either party since, that has tended to restore it. During the extra session of congress in the summer of 1841, the Democratic delegations in both houses behaved nobly, and acquitted themselves like men; they won the victory for their country, as well as lasting honor and gratitude for themselves from the wise and good everywhere; but our friends seem to have been more successful in gaining the victory than in securing its fruits. The rapid and overwhelming successes which have followed in the state elections, seem to have intoxicated the whole

Democratic party, and unless God sends us some sudden and severe rebuke, there is great danger that we shall go into power again in 1845, without having been in the least instructed by defeat, or purified by adversity. Adversity is easy to bear; it is prosperity that tries the man. But enough of this.

From the fact that popular suffrage, and popular virtue and intelligence, have proved, and are likely to prove, insufficient to secure the blessings of freedom and good government, it must not be inferred that popular suffrage is an evil, and should therefore be abandoned; much less that popular forms of government have proved a failure, and that we should therefore go back to aristocracy or to monarchy. We draw for ourselves no such inference. We have lost no confidence in nor love for popular institutions. The struggle for democratic forms of government has, moreover, been too long and too severe, has enlisted too many of the wise and the good, and been consecrated by too many prayers, sufferings, and sacrifices, to permit us, even if our confidence of ultimate success were altogether less than it really is, to think even for one moment of ceasing to continue it. Humanity never does, and never should, retrace her steps. Her course is onward through the ages. In this career, we have left aristocracy and monarchy behind us; and there let them remain, now and for ever. We may encounter both hunger and thirst in the wilderness; let us trust that the God of our fathers will rain manna upon us, and make water gush from the rock, if need be, rather than like the foolish Israelites sigh to return to the "flesh pots of Egypt," for we can return to them only by returning to the slavery from which we have just escaped. No: our faces are forward; the promised land is before us; and let the command run along our ranks, Forward, march!

We assure our democratic brethren, then, in the Old World as well as in the New, that if we have words of rebuke for them, we have no words of consolation or of hope for their enemies. Thank God, we are neither traitors nor deserters; we stand by our colors, and will live or die, fighting for the good old cause, the CAUSE OF THE PEOPLE. But if our general made an unsuccessful attack yesterday, and was repulsed with heavy loss, and all in consequence of not choosing the best position, or of not taking the necessary precautions for covering his troops from the enemy's batteries, we hope we may in the council held to-day, without any derelic-

tion from duty, advise that the attack be renewed under an officer better skilled to conduct it, or at least that it be renewed from a more advantageous position. We see in the fact that democracy has hitherto failed, no reason for deserting its standard, but of seeking to recruit its forces; or, without a figure, we see in our ill success hitherto, simply the necessity of obtaining new and stronger guaranties than popular suffrage can offer, even though coupled with popular intelligence. We would not, we cannot dispense with popular suffrage and intelligence, and we pray our readers to remember this; but they are not alone sufficient, and we must have something else in *addition* to them, or we shall fail to secure those results from the practical working of the government, which every true-hearted democrat is laboring with all his might to secure.

We have not erred in laboring to extend popular suffrage, —though thus far its extension has operated almost exclusively in favor of the business classes, or rather of the money power,—but in relying on it as alone sufficient. There is not a tithe of that virtue in the ballot-box which we, in our Fourth-of-July orations and caucus speeches, are in the habit of ascribing to it. The virtue we have been accustomed to ascribe to it, we have claimed for it on the ground that the people always know what is right, and will always act up to their knowledge. That is to say, suffrage rests for its basis, as a guaranty of freedom and good government, on the assumed intelligence and virtue of the people. Its grand maxim is, "The people can do no wrong." Now, this may be very beautiful in theory, but when we come to practice, this virtue and intelligence of the people is all a humbug. We beg pardon of the sovereign people for the treasonable speech; but it is true, true as Holy Writ, and there is neither wisdom nor virtue in pretending to the contrary. Perhaps, however, our remark is not quite true, *in the sense in which it will be taken*, without a word or two by way of explanation.

To the explanation, then. We are in this country, we democrats and all, most incorrigible aristocrats. We are always using the word *people* in its European sense, as designating the unprivileged many, in distinction from the privileged few. But this sense of the word is with us really inadmissible. We, *we* the literary, the refined, the wealthy, the fashionable, we are people as well as our poorer and more coarsely mannered and clad neighbors. We are all

people in this country, the merchant, the banker, the broker, the manufacturer, the lawyer, the doctor, the office-holder, the office-seeker, the scholar, and the gentleman, no less than the farmer, the mechanic, and the factory operative. We do not well to forget this. For ourselves, we always remember it, and therefore when we speak slightingly of the intelligence and virtue of the people, it is of the whole people, not of any particular class; in a sense which includes necessarily us who speak as well as those to whom we speak. When, then, we call what is usually said about the virtue and intelligence of the people all a humbug, we do not use the word in its European sense, and mean to speak disparagingly of the intelligence of plebeians as distinguished from patricians, of the "base-born" as distinguished from the "well-born;" for the distinctions here implied do not exist in this country, and should not be recognized even in our speech. When it comes to classes, we confess that we rely as much on the virtue and intelligence of proletaries as on the virtue and intelligence of capitalists, and would trust our mechanics as quick and as far as we would our merchants and manufacturers.

There is, if we did but know it, arrant aristocracy in this talk which we hear, and quite too frequently in our own ranks, about the virtue and intelligence of the people. Who are *we* who praise, in this way, the people? Are we ourselves people? And when we so praise them, do we feel ourselves below them, and looking up to them with reverence? Or do we feel that we are above them, and with great self-complacency, condescending to pat them on the shoulder, and say, "after all, my fine fellows, you are by no means such fools as your betters sometimes think." If we were in England, where there is a recognized hereditary aristocracy, and where the word *people* is used to designate all who do not belong to the nobility or privileged class, we could understand and even accept what is said about the virtue, intelligence, and capacity of the people; for there it would be appropriate and true. There it would simply mean that the unprivileged classes—the commons—are as able to manage the affairs of the government, and as worthy of confidence, as are the nobility, they who are born legislators; which we hold to be a great and glorious truth, worthy and needing to be preached, even to martyrdom, in every country in which the law recognizes a privileged class. But here it has no meaning, or one altogether inap-

propriate, false and pernicious. To praise the people here for their virtue and intelligence is either to show that we feel ourselves above them, and praise them solely because we wish to use them; or it is simply praising ourselves, boasting of our own virtue, intelligence, and capacity. The people should beware of the honeyed voices perpetually sounding their praise. He who in a monarchy will flatter the monarch, or in an aristocracy will fawn round the great, will in a democracy flatter the people; and he who will flatter the people in a democracy, would in an aristocracy fawn round the great, and in a monarchy, flatter the monarch. The demagogue is the courtier adapting himself to circumstances. And yet, flattery is so sweet, that he who can scream loudest in praise of the sovereign people, and whose conscience does not stick even at the blasphemy of *Vox populi est vox Dei*, will be pretty sure of receiving the largest share of their confidence and favor—another proof of their virtue, intelligence, and capacity!

One thing, by the way, we must own,—the people will bear with more equanimity to be told of their faults than will other sovereigns, or we ourselves should be drawn and quartered for our reiterated treason. But, if they would only lay our treason to heart, and profit by it, we would willingly consent to be drawn and quartered. But, alas! we may speak, and our good-natured sovereign will merely smile, call for his coffee and pantoufles, sip the beverage, throw himself back in his easy-chair, and—doze. It is a virtue to commend him, and whoso does not, he disregards. Whoever among us expresses any want of confidence in the people, notwithstanding their apparent forbearance, is supposed to be their enemy, and is sure to be read out of the Democratic party; or to be laid up on the shelf, till some difficulty occurs in which his strong sense and stern integrity become indispensable. But after all, what is the ground of this confidence in the people? A strong party is springing up among us, which builds entirely upon this confidence, and says that if the people were only left to themselves they would always do right; and that all the mischief arises from our attempting to govern the people, and to prevent them from having their own way. Hence, say they, let us have as little government as possible, or rather let us have no government. "All we want government for," said Dr. Channing one day to the writer, "is simply to undo what government has done." If the people are worthy of all the

confidence demanded, why not yield it? Why not rely on the people? Why seek to bind them by constitutions, and to control them by laws, which in the last resort the military may be called in to enforce? If the people always know the right, and always act up to their intelligence, goverment is a great absurdity. But we do not find our friends generally confiding in the people to this extent, though the doctrine they preach goes thus far. As much as they confide in the people, they do not feel willing to leave them to vote in their own way. We have our caucuses, and various and complicated machinery, without which we feel very sure that the people would not vote at all, or if voting, not on our side. In a majority of cases, we are so afraid that the people will not vote, or not vote aright, that we, through committees, caucuses, conventions, nominations, party usages, &c., so do up all the work, that the voting, becomes a mere form, almost a farce—yet we preach confidence in the people!

But once more. What is the ground of this confidence in the virtue, intelligence, and capacity of the people? Do we really mean to say that the people acting individually or collectively never do, and never can do any wrong? Whence, then, comes all this wrong of which everybody is complaining? The people are virtuous,—whence, then, the vice, the crime, the immorality, the irreligion which threaten to deluge the land? What need of swords, pistols, bowie knives, jails, penitentiaries, pains, penalties, laws, judges, and executioners? What need of schools, churches, teachers, preachers, prophets, and rulers? Nobody is so mad as really to pretend that nothing among us is wrong. Let alone private life, go merely into public life, enter the halls of justice and legislation—is all right here? No; everybody complains; everybody finds somewhat to condemn; some one thing, some another. And yet who has done this of which everybody is complaining? The people. What hear we from every quarter, but denunciations of this or that measure of public policy; of the profligacy of the government, or of its administration? And after all who is in fault? Whose is the government? The people's. The people are sovereign, and of course the government and its administration, the laws and their execution, are just what the people will they should be. Is it not strange, if the people always perceive the right, and perceiving, always do it, that nevertheless where they are supreme, and whatever is done, is done by them, there yet should be so much wrong done?

But touching the intelligence of our American people, we would ask with still more emphasis, Where have they shown it? Was it in the presidential campaign of 1840? Have they shown it in the several states in contracting abroad some two hundred millions of dollars or more of state and corporation debts? Have they shown it in introducing, extending and sustaining almost from their infancy the ruinous system of paper money? Do they show it by advocating the falsely-so-called American system—the "protective policy," thereby crippling commerce, and enslaving the operative, for the very questionable benefit of a few manufacturing capitalists? Do they show it in their insane support of the immense system of corporations which spread over the country like a vast net-work, and which, flooding the market with stock, gives to a few individuals who have contrived to maintain their credit, the means of controlling and laying under contribution the whole industrial activity of the country? Have they shown it, in their very general condemnation of the only measure which would separate the revenues of the government from the general business operations of individuals, and secure to the government that financial independence, without which it ceases to be government, and becomes merely an instrument in the hands of one portion of the community for plundering the other? We demand of the statesmen who publicly boast, that during their whole continuance in office, "they have made it their duty to ascertain and bow to the will of the people;" —we demand of them, wherein they find this infallible popular intelligence on which they bid us rely? The people, we shall be told, rejected the elder Adams, elected and sustained Mr. Jefferson. Be it so, and yet, will any one tell us wherein the policy of Mr. Jefferson, so far as it bore on the practical relations of the people, and their every-day business interests, differed essentially from that of Mr. Adams? They rejected the old federal theory of government, it is true, and adopted the democratic; but it may be a very serious question, whether the latter theory, *as the people understand it*, is so much in advance of the former as we sometimes imagine. We shall be told that the people sustained General Jackson in his anti-bank policy; but it was General Jackson and not his policy; for they refused to sustain his successor, who pursued with singular consistency and firmness the same policy; and they would have sustained a new bank, had not Mr. Biddle's bank failed at the very moment

it did, spreading alarm and distress through the land. Nine tenths of our business men even now fancy that we can add to the wealth of the country by increasing the paper circulation, and attribute the present embarrassments of the country to the want of confidence, when in fact these embarrassments have resulted almost solely from an excess of confidence; and can be relieved, not by any increase of confidence, but of that which gives to confidence a solid basis—solid capital.

In fact, no measure of public policy can be proposed, so absurd or so wicked, but it shall find popular support. What could be a more bare-faced violation of the constitution, more profligate, or more absurd as a measure of public policy, than the act of congress distributing the proceeds of the sales of the public lands among the several states? And yet where has it aroused any popular indignation? How many of even the Democratic states have had the virtue to fling back the bribe that was offered them? Has New York? Pensylvania? Ohio? Illinois? Missouri? Mississippi? Georgia? Virginia? Maine? We recollect now, out of all the Democratic states, only three—South Carolina, Alabama, and New Hampshire—that have had the virtue to refuse to receive their portion of the spoils. A good Democrat introduced resolutions into the Massachusetts legislature declaring the act unconstitutional, and that the state ought not to accept its portion of the money; but he was induced by his own party, while agreeing with him in the unconstitutionality of the act, to amend his resolutions so as to leave out the clause which required the state to refuse to receive money unconstitutionally distributed. And what is remarkable, the amendment was proposed and urged by one of the most influential members of the party in the legislature, and who has been regarded for years as the leader of the ultra or radical portion of the Democratic party in the state. So little popular opposition has this measure encountered, a measure which would have been, no doubt, cheerfully acquiesced in by a large majority of the people, as the settled policy of the country, had it not been defeated by the presidential veto.

We might go even further, and venture to predict that the assumption of the state debts by the federal government, all unconstitutional and wicked as such assumption would be, will yet be adopted. There are so many stockholders, both at home and abroad, interested in its adoption,

that it must come at last, unless Providence interpose in our behalf. The people,—we mean the mass of the people, of the constituencies,—are now, we fear, prepared for it, and nothing but the virtue of a few public men now delays it. If it be ultimately defeated, it will be through the influence of these few patriotic individuals; perhaps, nay, most likely, by the executive veto. The merchants to a considerable extent will sustain the measure, because it is one which will help to sustain or facilitate their credit abroad; the manufacturers will sustain it, because it will afford a pretext for the imposition of high duties on foreign imports; the operative and the farmer must sustain it, because the first depends on the manufacturer and trader for employment, and the last for the sale of his produce; against these the planters will hardly be able to sustain themselves, especially when several of the planting states are themselves to be directly relieved by assumption from the embarrassments which now cripple their energies. Where, then, is the power to defeat the measure? Yet we go on lauding the virtue and intelligence of the people!

Let us return for a moment to what is called "the protective policy." The Lynn shoemaker clamors for protection, for high duties to diminish foreign imports and to secure to him the monopoly of the home market. If he can only exclude French shoes, he shall then have this monopoly. Very well. Where does he, and where must he find the principal market for his shoes? South and West. The value of that market to him, then, will depend on the ability of the South and West to buy shoes. Whence this ability? It depends, of course, on the ability of the South and West to sell their own productions. The principal market for western produce is at the South. The ability of the West to buy Lynn shoes depends, then, on its ability to sell its productions to the South. Whence, then, we must ask again, the ability of the South to buy western produce and Lynn shoes? In its ability to sell its rice, cotton, and tobacco to the foreigner. Whence the ability of the foreigner to buy the rice, cotton, and tobacco of the South? In his ability to sell his own productions or manufactures to us. If we will not buy of him, he cannot buy of us. Consequently, just in proportion as the Lynn shoemaker places an impediment in the way of the foreigner selling to us, does he place an impediment in the way of his selling his shoes to the South and West. In proportion as he secures, by

prohibitory duties, the monopoly of the home market, he diminishes its value, by diminishing the ability of the people to consume. Here, at best, he loses on the one hand all he gains on the other. Yet we boast of the intelligence of the Lynn shoemaker, and his intelligence, by the by, *is* above the average intelligence of the country

But, absurd as the protective policy would be under any state of things,—implying that industry can be more energetic and efficient if bound than when left to the free use of its limbs,—it is doubly so when coupled, as we have coupled it, with the paper money system—a system which, though somewhat shaken, the mass of the people are still attached to, and the abolition of which scarcely a public man who values his reputation dare even propose. Very few of the people have ever thought of inquiring into the operations of the two systems when combined. In the first place, the paper money system, by depreciating our currency below that of foreign nations, operates as a direct premium, to the percentage of the depreciation, in favor of the foreign manufacturer; because the foreigner sells to us at the high prices produced by our depreciated currency, but buys of us always, according to his own appreciated currency. This, for years in our trade with England, very nearly neutralized the tariff intended to protect our own manufactures.

In the next place, the tariff operating with the banking system tends to increase instead of diminishing the advantage of the foreign manufacturer. The first effect of a protective tariff, if it have any effect at all, is no doubt to diminish the imports, and to bring them, in fact, below the exports; which throws the balance of trade in our own favor. This cuts off all foreign demand for specie, and sends specie into the country, if needed. This, freeing the banks from all fear of a demand for specie to settle up foreign balances, and rendering it easy for them to obtain specie from abroad, if necessary, enables them to employ their capital in discounting freely to business men, even to speculators, and to throw out their paper to an almost unlimited extent. This expands, that is, depreciates the currency; prices rise; and the foreign manufacturer is able to come in over our own tariff, sell his goods at our enhanced prices, pay the duties, and pocket a profit. This, in turn, swells the revenue, which, if deposited in the banks, becomes the basis of additional discounts, which expand still more the currency, enhance prices still more, till the whole land

is flooded with foreign imports, which shall, as we have seen in our own case, notwithstanding our agricultural resources, extend even to corn, barley, oats, and potatoes; thus crushing not only our home manufactures, but the interests of every branch of industry but that of trade; and at length even that by destroying its very basis. This is no theory, it is fact; it is our own bitter experience as a people, from the terrible effects of which we are not yet recovered; and still we hold on to the policy, and the majority of the American people, even to-day, after all their experience, believe in the wisdom of continuing both systems!

But enough of this. We have heard so much said about the wisdom and intelligence of the people, that we perhaps are a little sore on the subject, and may therefore be disposed to exaggerate their folly and wickedness. But we have seen enough to satisfy us, that if we mean by democracy the form of government that rests for its wisdom and justice on the intelligence and virtue of the people alone, it is a great humbug. The facts we have brought forward prove it so; nay more, that in destroying all guaranties, and in relying solely on the wisdom and virtue of the people, we are destroying the very condition of good government.

We may be told, as we doubtless shall be, by our democratic friends, that the errors we have pointed out, were not, and are not the errors of the people. Of whom then? "Of the people's masters; of bankers, stock-jobbers, corporators, selfish politicians, &c." And who are these? Are they not people? And how came they to be the people's masters? And why do the people, if they are so wise and virtuous, submit to be controlled by them? We shall be told, and truly, that the principal measures or acts we have condemned, have been supported, not by the Democratic party, but by the Federalists and Whigs. But who pray are Federalists and Whigs? Are they not people just as much as are the Democrats? Is not what is done by them as much done by the people, as what is done by us? In speaking of the people we must include all parties, for we are, as we have seen, in this country, all people, and the most numerous party is always the most popular. The American people are as responsible for what the Whigs do, as they are for what the Democrats do. So we cannot throw off from the people the responsibility of any of the systems of policy the government adopts, by saying it was adopted by this or that party.

We of course shall not be understood in these remarks to intend any thing against the general wisdom and justice of the aims and measures of the Democratic party. As we understand its aims and measures, they are wise and patriotic, just and philanthropic. The Democratic party, at heart, is opposed to paper money, to a high protective tariff, to the growing system of corporate or associated wealth, and to a consolidated republic; and is in favor of the constitutional currency, free trade, state rights, strict construction of the constitution, low taxes, an economical administration of the government, and the general melioration in the speediest manner possible of the moral, intellectual, and physical condition of the poorest and most numerous class. Taking this view of its aims and its measures, we must needs hold it to be the party of the country and of humanity. As such we are with it and of it, and no earthly power shall prevent us from laboring to advance it. But the doctrines which some of its members put forth on the foundation and authority of government, and which threaten to become popular in the party, nay, its leading doctrines, we own we do not embrace and cannot contemplate without lively apprehensions for the fate of liberty, civil and personal.

The great end with all men in their religious, their political, and their individual actions, is Freedom. The perfection of our nature is in being able "to look into the perfect law of liberty," for liberty is only another name for power. The measure of my ability is always the exact measure of my freedom. The glory of humanity is in proportion to its freedom. Hence, humanity always applauds him who labors in right-down earnest to advance the cause of freedom. There is something intoxicating to every young and enthusiastic heart in this applause—always something intoxicating, too, in standing up for freedom, in opposing authority, in warring against fixed order, in throwing off the restraints of old and rigid customs, and enabling the soul and the body to develop themselves freely and in the natural proportions. Liberty is a soul-stirring word. It kindles all that is noble, generous, and heroic within us. Whoso speaks out for it can always be eloquent, and always sure of his audience. One loves so to speak if he be of a warm and generous temper, and we all love him who dares so to speak.

In consequence of this, we find our young men—brave spirits they are too—full of a deep, ardent love of liberty, and ready to do battle for her at all times, and against any

odds. They, in this, address themselves to what is strongest in our nature, and to what is noblest; and so doing become our masters, and carry us away with them. Here is the danger we apprehend. We fear no attacks on liberty but those made in the name of liberty; we fear no measures but such as shall be put forth and supported by those whose love of freedom, and whose impatience of restraint, are altogether superior to their practical wisdom. These substitute passion for judgment, enthusiasm for wisdom, and carry us away in a sort of divine madness whither we know not, and whither, in our cooler moments, we would not. It is in the name of liberty that Satan wars successfully against liberty.

We mean not here to say that we can have too much liberty, or that there is danger that any portion of our fellow-citizens will become too much in earnest for the advancement and security of liberty. What we fear is, on the one hand, the misinterpretation of liberty; and, on the other, the adoption of wrong or inadequate measures to establish or guaranty it. We fear that a large portion of the younger members of the Democratic party do misinterpret liberty. If they analyze their own minds, they will find that they are yet virtually understanding liberty as we did when the great work to be done was to free the mass of the people from the dominion of kings and nobilities. They will find, we fear, that they have not thought, that in order to secure freedom any thing more was necessary, than to establish universal suffrage and eligibility, and to leave the people free to follow their own will, uncontrolled, unchecked. Hence, liberty with them is merely *political*. Where all are free to vote and to be voted for, there is all the freedom they contemplate.

Perhaps this is stated too positively. Perhaps it would be truer to say, that they do not see that any thing more is necessary, in order to render every man practically free, than the establishment of a perfectly democratic government. Where all the people take part in the government, are equally possessed of the right of suffrage and that of eligibility, and where the people are free to take any direction, at any time, that the majority may determine, they suppose that there perfect freedom is as a matter of course. But this we have seen is not the fact, and cannot be the fact till the virtue and intelligence of the people are perfect, instead of being, as they now are, altogether imperfect,

and, in reference to what they should be, in order to render certain the end contemplated, as good as no virtue and intelligence at all. But ignorant of this fact, confiding in the virtue and intelligence of the people, feeling that all the obstacles liberty encounters are owing to the fact that the will of the people is not clearly and distinctly expressed, they labor to remove whatever tends in their judgment to restrain the action of the people, or the authoritative expression of the will of the majority. But when they have removed all these restraints, broken all barriers, and obtained an open field and fair play for the will of the people, what is there to guaranty us the enjoyment of liberty?

This question leads us to the point to which all that we have thus far said has been directed. We solemnly protest against construing one word we have said into hostility to the largest freedom for all men; but we put it to our young friends, in sober earnest too, whether with them freedom is something positive; or whether they are in the habit of regarding it as merely negative? Do they not look upon liberty merely as freedom from certain restraints or obstacles, rather than as positive ability possessed by those who are free? They assume that we have the ability, the power, both individually and collectively,—when once the external restraints are taken off,—to be and to do all that is requisite for our highest individual and social weal. Is this assumption warrantable? Is man individually or socially sufficient for himself? Should not our politics, as well as our religion, teach us that it is not in man that walketh to direct his steps, and that he can work out his own salvation, only as a higher power, through grace, works in him to will and to do.

This bring us back to the old question, Are the people competent to govern themselves? What we have said concerning the virtue and intelligence of the people, has been said for the express purpose of proving that they are *not* competent to govern themselves. We confess here to what we know in the eyes of our countrymen is a "damnable" political heresy, but, an' they should burn us at the stake, we must tell them this notion of theirs about self-government is all moonshine; nay, a very Jack o' Lantern, and can serve no better purpose, if followed, than to lead them from the high road, and plunge them in the mire or the swamp from which to extricate themselves will be no easy matter. The very word itself implies a contradiction. There is a government only where there is that which *governs*, and

that which is *governed*. In what is called self-government, the governor and the governed are one and the same, and therefore no government. That which governs is that which is governed; but how can the governor be the governed, or the governed the governor? We assure our readers, we are not playing on terms, nor quibbling about words. In this doctrine of self-government, the people as the governed, are absolutely indistinguishable from the people as governors. Tell us, then, in what consists the government? Tell us wherein this doctrine of *self*-government differs from *no*-government? But do we not need government?

"But you mistake the question. The question is not, Are the people competent to govern themselves? but, Are they able, of themselves, to institute and maintain wise and just civil government?" They who put the question in this form, admit that government is necessary; but they contend that the people, seeing this, will institute government, and voluntarily put a restraint on their own power. This is what we have done in this country. The people here are sovereign, but they have drawn up and ordained certain constitutions or fundamental laws, which limit their sovereignty and prescribe the mode in which it shall be exercised.

But who or what guaranties the constitution? In other words, assuming the constitution to be adopted, what is there back of the constitution that compels its observance, or prevents its violation? In short, what is the basis, the support of the constitution? A constitution, which is merely a *written* constitution, is only so much waste paper. There is always needed a power that shall make the written constitution the real, the living constitution of the people. Where in your democracy is this power? In the people unquestionably. "The people *make* the constitution, and they will have respect unto the work of their hands, and will therefore protect the constitution." Admirable! The people voluntarily adopt a constitution, which constitution when adopted has no power to govern them, but what they voluntarily concede to it! Pray, wherein does this differ from no constitution at all? If the people are competent to frame the constitution and to maintain it, they are competent to govern themselves without the constitution, which we have already seen is not the fact. The constitution, if entrusted to the voluntary support of the people themselves, is worth nothing; for if the people will voluntarily abstain from doing what the constitution forbids, they would vol-

untarily abstain from doing it even were there no constitution. The constitution in this case can give no additional security, for it gives nothing that we should not have without it.

What we insist on here is, that the constitution, if it emanate from the people, and rest for its support on their will, is absolutely indistinguishable from no constitution at all. What we want is something which shall govern. This, we are told, is the constitution. But the constitution, if it emanate from the people, and have no support but their will, *is* the people; and whatever power it may have, is after all only the power of the people. But it was the people, and not the people as individuals, but the people as the state or body politic, that needed to be governed; and we have, even with the constitution, only the people with which to govern the people. They who tell us that the people will *voluntarily* impose and maintain the necessary restraints on their own will, do then by no means relieve us of our difficulties; for the will imposing the restraints, is identically the will to be restrained; and, therefore, they give us in the state but one will, and that will, since it imposes all restraints that are imposed, is really itself unrestrained. If the people are to be governed at all, there must be a power distinct from them and above them, sufficient to govern them. Now, can the people create this power? Will they *voluntarily* place a power above them, which *can* govern them; and therefore to which they *must* submit, whether they choose to submit or not? If so, we must cease, when they have so done, to talk of *self*-government, or of government by consent of the governed; for this power, whatever it be, wherever lodged, must be, when constituted, distinct from the people and their sovereign. If the people have a sovereign, they cannot be themselves sovereign.

In all their speculations, they who differ from us, overlook the important fact that *government is needed for the people as the state, as well as for the people as individuals.* They assume, consciously or unconsciously, that the people, as the body politic, need no governing, and that, so viewed, they have in themselves a sort of inherent wisdom and virtue, which will lead them always to will and ordain what is wise and just, and only what is wise and just. They therefore seek government, not for the people as the body politic, but for the people as individuals. That is to say, they

seek not to restrain the power of the sovereign, but are willing to leave it absolute. Hence they proclaim the absolute sovereignty of the people, never ceasing to repeat, in season and out of season, that all legitimate power emanates from the people, and that the chief glory of the statesman is to find out and conform to the will of the people. We do not err in declaring that this is that theory of democracy which is becoming the dominant theory of all parties in the country. But, when we have reduced this theory to practice, when we have made the people supreme in the sense, and to the extent here implied, where is the practical guaranty for freedom? On what can we rely to protect our rights as men? Nay, what are we all in this case, as individuals, but the veriest slaves of the body politic? We have talked of certain inalienable rights, that is, rights which we possess by virtue of the fact that we are men, which we cannot ourselves surrender up, and which cannot be taken from us; but what is the use of talking about rights when we have no *power* to maintain them? My rights are worth nothing beyond my might to assert and maintain them against whosoever or whatsoever would usurp them.

Democracy is construed with us to mean the sovereignty of the people as the body politic; and the sovereignty of the people again is so construed that it becomes almost impossible to draw any line of distinction between the action of the people legally organized as the state, and the action of the people as a mob. The *people* in a legal or political sense, properly speaking, have no existence, no entity, therefore no rights, no sovereignty, save when organized into the body politic; and then their action is legitimate only when done through the forms which the body itself has prescribed. Yet we have seen it contended, and to an alarming extent, that the people, even outside and independent of the organism, exist as much as in it, and are as sovereign; and that a majority—aye, a bare majority counted by themselves—of the inhabitants of any given territory, have the right, if dissatisfied with the existing organism, to come together, informally, without any reference to existing authorities, and institute a new form of government, which shall *legitimately* supersede the old, and to which all the inhabitants of the territory shall owe allegiance! Admit this doctrine, and we ask our friends who have, we must believe, hastily and without reflection adopted it, what distinction they would make between the people and the mob?

Let us look at this doctrine of popular sovereignty for a moment. We say, for instance, if the people of Massachusetts do not like their present form of government, they may make such alterations, acting through the existing forms, as they choose. These alterations, wise or unwise, would be legal, and binding upon the citizen. But suppose a number of individuals, dissatisfied with the existing provisions of the constitution, should call a meeting of individuals, who should frame a new constitution, send it out, and indeed obtain for it a majority of the votes in what is now the state of Massachusetts; this new constitution, according to the doctrine we are considering, would be the supreme law of the land. Be it so. But why restrict this to a majority of the inhabitants of the state? The men who are forming the new constitution must, of course, assume the nullity of the old, at least so far as their action is concerned, and also so far as it concerns the adoption of the new constitution. Assume the nullity of the constitution, and where would be Massachusetts? There would be, in a political sense, no Massachusetts at all. Why, then, cannot the new doctrine be applied to a section as well as to the whole territory? Why may not the majority of the inhabitants of what is now a county, a town, or a school district, if they choose, set up the same theory, and form and enforce a constitution for themselves? Outside of the existing organism there is no state, county, town, or school district, for these are all creations of the existing organism. Then we see not what there is to prevent the application of the doctrine to themselves by any number of individuals who choose. Nay, what is there to prevent its adoption by single individuals, and to make it not absurd for an individual to say to the state, "I disown you; I am my own state; I ask nothing of you, and I will concede you nothing. I am a man; I am my own sovereign, and you have no authority over me but by my consent. That consent I have never given; or if I have heretofore given it, I now withdraw it. You have, then, no right over me, and if you attempt to control me you are a tyrant." This is no fancy sketch. This language we have actually heard used in sober earnest by one who knew very well what he was saying, and who so strongly believed in what he was saying, that he has chosen himself to be put in gaol rather than to acknowledge the authority of the state by paying a tax. Once proclaim the absolute sovereignty of the people, acting without

reference to political organisms, that is, as a mass of invidu-als, or once proclaim, as the governor of New Hampshire does in his letter to the governor, or *acting* governor of Rhode Island, that the people are "sovereigns," that is, making each individual a sovereign, and you can exercise through the state no authority over any man, not even to punish him for the greatest social offence, without his consent. Your collector goes with his tax bill, the individual rightly exclaims, "Away, I know you not." A family is living in open violation of the laws of God, you send your police to arrest them; they have a right to answer, "We are sovereign; we do not acknowledge our obligation to obey your sovereign; we are not accountable to your laws; we have formed our own constitution, and make our own laws; we hold to *self*-government." The good sense of all parties, of course, would arrest the application of the doctrine long before it could come to this extent; but to this extent the doctrine we combat may be legitimately carried; and in this fact we may and ought to see its radical unsoundness.

For ourselves, we object to the definition of democracy which makes it consist in the sovereignty of the people. The sovereignty of the people, in the sense commonly contended for, we own we do not admit. The people, as an aggregate of individuals, are not sovereign, and the only sense in which they are sovereign at all, is when organized into a state, or body politic, and acting through its forms. No action of the inhabitants of a given territory, even if it include ninety-nine out of a hundred of all the individuals, is done by the PEOPLE, unless done in and through the forms prescribed by the political organism; and all action done in opposition to that organism, no matter how many are engaged in it, is the action of the mob, disorderly, illegal, and to a greater or less degree criminal, treasonable in fact, and as such legitimately punishable.

We do not wish to be too severe on the advocates of the doctrine we oppose. It has been with most of them only a momentary error, and which, though pelting us unmercifully for exposing it, they will quietly abandon, and without confessing it, feel shame for ever having advocated. Confident of this, we give them leave to say all the hard things of us they please; for we acknowledge that for a moment we too fell into the same error. Our sympathy with the end which we saw a portion of our friends struggling

to gain, and by means which were justifiable only on the doctrine in question, blinded us for a time, as we presume it has others, to the real character of the doctrine itself. Let this confession suffice for us and for our brethren. They of course will not accede to it, but we venture to predict, that, as the excitement of the struggle to which we have alluded subsides, and matters reassume their orderly and peaceful course, there will be found few so bold as to reiterate the doctrine.

But the fact that this doctrine has been put forth, in sober earnest, by men in high places as well as by men in low places, is itself an argument in our favor, and goes to prove that the people are not to be relied on so implicitly as some of our democratic friends pretend. The case we have had in mind, strikingly illustrates the sort of danger to which, under a democracy, interpreted to mean the absolute sovereignty of the people, we are peculiarly and at all times exposed. The ends the people seek to gain, are, we willingly admit, for the most part just and desirable; but the justice and desirableness of the end, almost always blind them to the true character and tendency of the means by which they seek to gain it. They become intent on the end, so intent as to be worked up to a passion for it,—for the people never act but in a passion,—and then in going to it, they break down every thing which obstructs or hinders their progress. Now, what they break down, though in the way of gaining that particular end, may after all be our only guaranty of other ends altogether more valuable. Here is the danger. What more desirable than personal freedom? What more noble than to strike off the fetters of the slave? Aye, but if, in striking off his fetters, you trample on the constitution and laws, which are your only guaranty of freedom for those who are now free, and also for those you propose to make free, what do you gain to freedom? Great wrong may be done in seeking even a good end, if we look not well to the means we adopt. Philanthropy itself not unfrequently is so intent on the end, that in going to it, it tramples down more rights than it vindicates by success. We own, therefore, that the older we grow, and the longer we study in that school, the only one in which fools will learn, the more danger do we see in popular passions, and the less is our confidence in the wisdom and virtue of the people.

"But what is our resource against all these evils? What

remedy do you propose?" These are fair questions, but we do not propose to answer them now. We may hereafter undertake to do it, and what we shall have to say will be arranged under the heads of the constitution, the church, and individual statesmen. Without an efficient constitution, which is not only an instrument through which the people govern, but which is a power that governs them, by effectually confining their action to certain specific subjects, there is and can be no good government, no individual liberty. Without the influence of wise and patriotic statesmen, whose importance, in our adulation of the people as a mass, we have underrated, and without the Christian church exerting the hallowed and hallowing influences of Christianity upon the people both as individuals and as the body politic, we see little hope, even with the best constitution, of securing the blessings of freedom and good government. But these are matters into the discussion of which we cannot now enter. Our purpose in this article has been to draw the attention of our political friends to certain heresies of doctrine which are springing up amongst us, and enlisting quite too much sympathy, and which we believe pregnant with mischief.

Democracy, in our judgment, has been wrongly defined to be a *form* of government; it should be understood of the *end*, rather than of the *means*, and be regarded as a principle rather than a form. The end we are to aim at, is the freedom and progress of all men, especially of the poorest and most numerous class. He is a democrat who goes for the highest moral, intellectual, and physical elevation of the great mass of the people, especially of the laboring population, in distinction from a special devotion to the interests and pleasures of the wealthier, more refined, or more distinguished few. But the means by which this elevation is to be obtained, are not necessarily the institution of the purely democratic form of government. Here has been our mistake. We have been quite too ready to conclude that if we only once succeed in establishing democracy,—universal suffrage and eligibility, without constitutional restraints on the power of the people,—as a form of government, the end will follow as a matter of course. The considerations we have adduced, we think prove to the contrary.

In coming to this conclusion, it will be seen that we differ from our friends not in regard to the end, but in regard to

the means. We believe, and this is the point on which we insist, that the end, freedom and progress, will not be secured by this loose radicalism with regard to popular sovereignty, and these demagogical boasts of the virtue and intelligence of the people, which have begun to be so fashionable. They who are seeking to advance the cause of humanity by warring against all existing institutions, religious, civil, or political, do seem to us to be warring against the very end they wish to gain.

It has been said, that mankind are always divided into two parties, one of which may be called the stationary party, the other the movement party, or party of progress. Perhaps it is so; if so, all of us who have any just conceptions of our manhood, and of our duty to our fellow-men, must arrange ourselves on the side of the movement. But the movement itself is divided into two sections,—one the radical section, seeking progress by destruction; the other the conservative section, seeking progress through and in obedience to existing institutions. Without asking whether the rule applies beyond our own country, we contend that the conservative section is the only one that a wise man can call his own. In youth we feel differently. We find evil around us; we are in a dungeon; loaded all over with chains; we cannot make a single free movement; and we utter one long, loud, indignant protest against whatever is. We feel then that we can advance religion only by destroying the church; learning only by breaking down the universities; and freedom only by abolishing the state. Well, this is one method of progress; but, we ask, has it ever been known to be successful? Suppose that we succeed in demolishing the old edifice, in sweeping away all that the human race has been accumulating for the last six thousand years, what have we gained? Why, we are back where we were six thousand years ago; and without any assurance that the human race will not reassume its old course and rebuild what we have destroyed.

As we grow older, sadder, and wiser, and pass from idealists to realists, we change all this, and learn that the only true way of carrying the race forward is through its existing institutions. We plant ourselves, if on the sad, still on the firm reality of things, and content ourselves with gaining what can be gained with the means existing institutions furnish. We seek to advance religion through and

in obedience to the church; law and social well-being through and in obedience to the state. Let it not be said that in adopting this last course, we change sides, leave the movement, and go over to the stationary party. No such thing. We do not thus in age forget the dreams of our youth. It is because we remember those dreams, because young enthusiasm has become firm and settled principle, and youthful hopes positive convictions, and because we would realize what we dared dream, when we first looked forth on the face of humanity, that we cease to exclaim "Liberty *against* Order," and substitute the practical formula. "LIBERTY ONLY IN AND THROUGH ORDER." The love of liberty loses none of its intensity. In the true manly heart it burns deeper and clearer with age, but it burns to enlighten and to warm, not to consume.

Here is the practical lesson we have sought to unfold. While we accept the end our democratic friends seek, while we feel our lot is bound up with theirs, we have wished to impress upon their minds, that we are to gain that end only through fixed and established order; not against authority, but by and in obedience to authority, and an authority competent to ordain and to guaranty it. Liberty without the guaranties of authority, would be the worst of tyrannies.

POPULAR GOVERNMENT.

[From the Democratic Review for May, 1843.]

THE editor of the *Democratic Review* appended a "Note" to my article on Democracy and Liberty inserted in this journal for April last. I am glad that he did, because it shows that he considered the questions I raised to be of no slight importance, and because by so doing he will draw more attention to my statements, and thus further the purpose for which they were made. I must ask him, without making any claim upon the "special agreement" there may be between us, to suffer me to offer through his pages a few comments in explanation and in justification of the doctrine I sought to bring out and establish.

It is too early, I hope, by many years, for my friends to take up a lamentation over my fall from the cause of popular government or popular freedom; and especially quite too early to build my tomb and write my epitaph. The editor has entirely mistaken the tone and bearing of the essay he so severely criticises. Had I not felt my bosom glowing with love of freedom, and my heart so enlisted in the cause of the people as to be willing to suffer reproach both with them and for them, I could not have written it. I had nothing to gain by pulling the sovereign's beard, and telling him he was no better than he should be. I feel all too deeply the importance of the experiment in political science which we are trying, and have suffered too much reproach for years of devotion to the great and glorious cause of freedom and progress, to be willing now, as the "snow-flakes" are beginning to fall upon my head, to "slough off" into a cold and heartless conservatism. I belong to the MOVEMENT: I have struggled for it, in good report and in evil, in sickness and in health, in poverty and want; and in it and for it, let others do what they will, I feel in my heart and soul, I shall live and die. So a truce to all hopes, fears, or predictions of my deserting it. My expectations may be sobered by time and experience; and young enthusiasm, as I grow older and mingle more with the world, may be tempered with more of prudence and practical wisdom; but never was I further than now from forgetting the dreams of my youth. Men of progress! I assure you I am with you, heart and soul, for life and death, and ready to serve you in any capacity within my power, and against any enemy, or any odds.

I wish to say, also, that, though I have been, I believe, on several occasions formally excommunicated from the Democratic party, I am still in that party, as my home, heartily in favor of its leading measures, sincerely believing the good of the country, and the progress of free principles, imperiously demand their adoption, and therefore am determined to do all that an individual so humble and obscure as I can do to secure their adoption. I was not born to be a Whig; into a Whig no earthly or unearthly power can transform me; and into one I am sure no heavenly power would wish me, or wish any one else, to be transformed. I hope this is enough to "define my position." So I pray my Democratic friends to make no more insinuations.

One word as to the statement with which the editor commences his note. He says my article severely tested "his

firmness and good faith in adhering to the special agreement" made with me, when I consented to discontinue the *Boston Quarterly Review*, and to become a regular contributor to the *Democratic*. I am not sure that this statement is made in sober earnest; I am disposed to take it as a little pleasantry; but if made in downright earnest, I must say that it implies a reflection against the justice of which I must needs protest. Does the editor mean to imply, that, taking advantage of a special agreement, I have crowded into his journal an article which I had reason to believe would be highly repugnant to his feelings and convictions, or at least altogether different from what he might reasonably have expected from me as an honorable man? If so, he wrongs me. The essay in question is conceived and written in the very spirit of several articles which had appeared in my own *Review* before I had any connection, or any thought of a connection, with the *Democratic;* and its leading doctrine is one that I have uniformly maintained. I put it forth in the *Boston Reformer*, in 1836, when assigning reasons for not supporting Mr. Van Buren for the presidency; I repeated it at great length, and sustained it in an essay on Democracy, one of the most elaborate essays I have ever written, inserted in the very first number of the *Boston Quarterly Review*, January, 1838; also under some of its aspects in the essays on the Abolition Proceedings, and on the Sub-Treasury Bill, in the same journal, in the course of the same year; again, July, 1841, in an article on Executive Patronage, and some remarks on the President's Message; and again, in January following, in an essay on Constitutional Government, and in some remarks on the Distribution Bill. Now, I can hardly conceive how an essay embodying a doctrine which I had so uniformly, and so constantly, maintained, and which I can hardly suppose the editor did not know I entertained, and was in the habit of insisting on, when he enlisted me in his corps of contributors, could have severely tested his firmness and good faith in adhering to his engagements. Surely he could hardly have expected me to keep silence on so favorite a doctrine; nor that I should change my faith with my medium of publication. I cannot feel that in sending the article I acted dishonorably, or at all ungenerously. Men who have devoted their lives to some great objects, are very likely to have some kind of doctrines, and life is all too serious an affair with them, to allow them to write without bringing out such doctrines as they believe true and im-

portant. They cannot write to order, for their bread, but must write out from their own hearts and minds, what they believe to be essential to the welfare of their fellow-men. I have done my best, since I have been connected with the *Democratic Review*, to avoid saying any thing which should be unpleasant to my highly esteemed friend, its conductor; and in order to do so, I have for the most part kept so far in the regions of abstract philosophy as to interest but few of his readers; he himself has grown tired of these philosophical essays; but, if I may not come into the concrete world and speak of practical matters, as I feel an honest man and a patriot should speak of them, it will go hard with me but I shall be unable to say any thing that will not try my friend's "firmness and good faith" in keeping his engagement. But enough of this. What is merely personal concerns not the public.

In my essay, I spoke of 1840 as having worked a revolution in my opinions. I was not then careful to state with exactness in what that revolution consisted. I was willing to leave the matter in some obscurity; for I chose to refer my readers to an event which should justify the change I wished to see effected in them, permitting them to suppose it had effected a corresponding change in me, rather than to assume the superiority of saying to them, "I always told you so, and now you must see that I was right." But, since the point has been made, I wish now to be more explicit, and more exact. The doctrine of my essay, so far as it concerns the origin of government, the sovereignty of the people, and the right of the majority to govern, is with me an old doctrine, and the only doctrine, so far as I can recollect, that I have ever really entertained on those subjects in my life. But on two or three questions of very great importance, the election of 1840 helped revolutionize my opinions. As the statement of the changes implied, with the reasonings which led to them, may have more than merely personal bearings, I will ask the privilege of being allowed to make it with frankness and at some little length.

In 1824, during the canvass of that year for president, I was in the then territory of Michigan, and of course had no vote; but my sympathies during that contest were for Mr. Calhoun; but when I learned that he would be the candidate for the vice-presidency, and not for the presidency, I was for Mr. Crawford. During the latter part of that year and a considerable portion of the following year, I was confined

to my room and even to my bed with a severe illness from which it was hardly expected I should ever recover. When I recovered, I entered the Christian ministry, and paid little or no attention to politics, till 1828, when I foolishly voted for electors in favor of the reëlection of Mr. Adams. The year following and through 1830, I was one of those who helped get up and sustain, in the state of New York, what was called the Working-men's party; but I sustained that party with moral and social views, rather than with political. In 1831, I returned to my labors as a clergyman, and mingled not in the political world again for several years. In 1836, I came to the city of Boston, mainly for the purpose of resuscitating the cause of the working men, but morally and *religiously*, rather than politically. The wickedness of the banks in 1837, in refusing to pay their debts, and the moral obtuseness of the community which could tolerate, nay defend, in these moneyed corporations, conduct which would have been severely censured and even punished in the case of private individuals, brought me for the first time fairly into practical politics; for I felt that a system of special legislation had been adopted and fostered, which, if not arrested, would bring us under the absolute control of associated wealth; and seeing, during the extra session of congress called by Mr. Van Buren, that the Democratic party, which I had hitherto for the most part eschewed, as not being sufficiently radical and in earnest to carry out the true principle of what I called social democracy, must from the circumstances in which it was placed, adopt, on the one hand, the state rights doctrines of the South,—to which I had been made a convert, by the famous discussion of Messrs. Webster and Hayne in the senate of the United States,—and, on the other, accept the Locofoco doctrines concerning banks and banking, privilege, monopoly, and equal rights, I felt that I ought to cease my opposition to it, and give it all the support in my power, which I did and have since continued to do, as the true party of progress, and in the success of which must henceforth be involved the success of true republican principles and measures, and therefore of our experiment in behalf of freedom and good government.

During the whole of the period from the formation of the Working-men's party down to 1840, I had felt and acted on the policy of making up as distinctly as possible before the country, the direct issue, as Mr. Benton expressed

it, between MAN AND MONEY. The real question was between the interests of associated or corporate wealth, or more strictly perhaps of business, on the other hand, and the interests of labor, agricultural, mechanical, &c., on the other, and I felt that whenever we could get this question fairly before the country, and the partisans of money on one side, and the partisans of labor on the other side, these last, as being altogether the most numerous, could at any time out-vote the others. Hence, I struggled as earnestly as I could, and perhaps not without some effect, to make up the issue directly on this ground.

Well, the canvass for president came on in 1840, and we all went into it, with the precise issue made up that I and my friends had wished; and we went into it, under as favorable circumstances as can ever be looked for in the history of this country, and more favorable than we can in my opinion ever look for again. We had our full share of the scholars and literary men of the country; also, of all that was distinguished for eminent services in practical political life; we had the whole patronage of the federal government, and that of twenty states out of twenty-six. Who when the campaign opened could have doubted of our success? But we were defeated, and driven in disorder from the field. This defeat, after I had had time to investigate its causes, I found to be a lucid commentary on the policy which I, in common with many others, had recommended and urged. I saw, then, as now, that if we make up the issue, as Mr. Benton has it, between MAN and MONEY, we necessarily bring about a horizontal division of parties, in which the party of money will always carry the day. The history of the world offers no instance in which,—man on one side, and money on the other,—money has not triumphed. The Haves carry it always over the Have-nots. It is then sheer madness to insist on the making up this issue; and as friends of labor, and simple humanity, we must avoid coming to a direct vote on the question so stated, and study to make up other and more favorable issues Instead of separating the interests of wealth from the interests of man, the interests of business from those of labor, we must study so to unite them, that the partisans of wealth, in promoting their own interests, shall contribute to the promotion of the equal rights and equal chances for which we as true democrats are struggling. This much, I for one learned from the result of the campaign of 1840.

Up to 1840, I, with not a few of my friends, bred to the church as several of us had been, and few or none of us having ever been in practical political life, looked upon most of the questions we were discussing mainly from the point of view of the ideal. I felt that if we did but put forth our views, did but give prevalence to true *doctrines* concerning men's social rights and duties, we need not to trouble ourselves about their practical organization. The organization would follow from the supposed inherent virtue of the doctrines themselves. At any rate, moral and spiritual guaranties would be amply sufficient for their practical working. I did not see that in this, I was on the declivity to no-governmentism, and that if I but pushed my principles to their last consequences, I must oppose all government but such as should spring from conviction and moral suasion. The memorable 1840, with the help of some hints from a distinguished statesman, corrected me also of this most dangerous error. I saw that while we were preaching our social doctrines and dreaming, by conviction and moral suasion, to bring back the long lost Eden, the partisans of privilege, monopoly, special legislation, would possess themselves of the government, and fasten a system of measures upon the country, which would for a long series of years, if not for ever, render impotent all our efforts to bring about a just and truly democratic state of society. Consequently, something more than moral, that is to say ideal, guaranties must be sought, and true wisdom commands us to labor incessantly to establish such practical guaranties, as shall render it impossible for any party, whatever its doctrines or tendencies, even if in power, to make the government an instrument of doing any serious injury to the individual citizen, or of throwing any serious impediment in the way of the continuous progress of liberty and equality.

On one other point also, I confess to having been enlightened by the campaign of 1840; namely, as to the practical tendency of the doctrine which makes the essence of democracy to consist in the sovereignty of the people, and the practical formula, "The majority must govern." I had never embraced this doctrine; I had uniformly in all my writings,—bating some few incautious expressions, now and then escaping me in the hurry of composition, and when I had some special object in view,—opposed it as rank political heresy; but after all, I had opposed it more as a speculative error than as a practical evil. Its real character

I never clearly saw, till I found Henry Clay and his Whig friends preaching it with great unction, and urging it with great effect, in support of a series of measures from beginning to end as unconstitutional, and fraught with as much mischief to freedom and good government, as the father of mischief himself could desire. When we find the enemies of political truth and righteousness preaching our own doctrines, and making them the legitimate basis of measures which we must needs hold in utter abhorrence, it is high time for us to pause, and ask, "Into what mischievous error have we fallen?" I confess that when I heard Mr. Clay, and the Whig members of the "Tip. and Ty." congress, talking of the sovereignty of the people, and reiterating, what our own party had always insisted on, "the majority must govern," I saw that the doctrine was something more than a speculative error; and I could not but loathe it as I would some foul steam sent up from the world below.

How stood the case? In the summer of 1840, we went into the canvass for president. Each party had its distinctive measures; and both asserted "the people are sovereign," and "the majority must govern." We all knew what measures the Whigs would attempt to carry if they prevailed; and we, the writers, essayists, declaimers, orators, lecturers, &c., in our addresses to the people, distinctly stated what these measures were, and opposed the Whigs on the ground of their unconstitutionality and wickedness. If the Whigs did not formally avow them, nobody was deceived. At all events, the real questions at issue between the two parties were as well understood as they ever are, or can be, with the present degree of popular intelligence. Well, what was the result? Why, the people, by an overwhelming majority, decided for the Whigs, and therefore—my friend of the *Democratic Review* to the contrary notwithstanding—for the measures advocated by the Whig leaders. Never, in any case, can we look for a clearer or more decisive expression of the popular will. It is useless to question this obvious fact.

Now, acting on the principle that the people are sovereign, and the majority must govern—a principle common to both parties—I ask, what could Henry Clay do, what had he even a right to do, when congress came together, but to bring forward and insist on his famous "programme"? The people had clearly decided for the measures brought forward; the question had been decided by the highest

tribunal; and Mr. Clay, I insist, but acted on what both parties called the true democratic principle, when he said in the senate chamber, "The matter is decided; we want action, not discussion." Those measures would have lost this country to freedom and progress, had they been adopted; but what then? Are not the people through the majority sovereign? Must not the majority govern? If so, by what authority, by what right, I demand, did the Democratic minority in both houses oppose, and so nobly and energetically oppose, the adoption of those measures? If the majority must govern, then when its will is once clearly expressed, it is and must be binding on the minority, who have, and can have, no right to oppose it, but, whatever it be, must yield to it.

But this was not all. When the Whig leaders found themselves thwarted by constitutional provisions in carrying out their favorite measures, and measures for which they had obtained the majority in and out of congress, what then did they do? Precisely what men, believing that they had the majority with them, and that the majority has the right in a democracy to govern, must do, and always will do; they brought forward a series of amendments to the constitution itself—amendments which would make that instrument always flexible to the will of the majority for the time being, and therefore as good as no constitution at all. True, these amendments could not as yet be adopted; but when it should become fairly settled as the creed of the country, that the *form* of our government is a democracy instead of a constitutional republic, and that the majority has always the right to rule, then would there be the very popular faith or opinion necessary to insure the adoption of those amendments, and to prevent the constitution from being retained with any provision that should impose restraints on the will of the majority, the legitimate sovereign, as all would then acknowledge and contend.

I confess that when I saw these amendments, and with what thought they were framed, when I read the very able but insidious address of the Whig members of congress, put forth at the close of the extra session, I felt a lively alarm for the fate of my country, especially for the fate of constitutional government. I saw, or seemed to see, all the popular tendencies of both parties hurrying us all on directly to the very end proposed by the projectors of the aforementioned amendments; and that if not arrested in time, we

should come under the absolute rule of the majority, with no protection against the tyranny it might choose to exercise. I looked at the relations of business and labor as they are and needs must be, and had no difficulty in determining which party, or what party would be the ruling majority, when there should be any thing at stake, and therefore what interest must always predominate; and also in determining that unless we could retain the constitution as an effectual restraint on the will of the majority, so as necessarily to confine the action of the government to those measures alone which should practically affect all classes of our citizens alike, we should lose all security for civil freedom, and be obliged to abandon for ever all hope of meliorating the moral, intellectual, and physical condition of mankind, especially of the poorer and more numerous classes. I saw, then, that the great mass of our citizens, instead of being interested in having the coast clear for the unchecked predominance of the will of the majority, as too many of our politicians seemed to fancy, were specially and most deeply interested in having the will of the majority restrained; so that the government could get no power ever to act on any matters but those for the *common* weal of all classes of citizens. What we must most sedulously guard against is, leaving to any class, no matter what class, or which class, even if having possession of the government, the power to make the government an instrument for plundering the other classes for its own profit.

I felt that here was the vital question; but what could I do? A private citizen, branded as an infidel, an agrarian, a disorganizer, from one end of the Union to the other; a proscribed man, whom all parties eschewed more carefully, I fear, than they did even Satan himself? Nobody would heed my voice; and most of those who could command public attention were, unhappily, engrossed with other views and aims. Never till that moment had I felt the full evil of not having the confidence of the public. Nevertheless, no man knows what he can do till he tries, and no one has a right to say that he can do nothing. The smallest pebble cast into the lake may spread the circles that succeed over the whole surface. I came forth and called in all tones, and through all mediums at my command, upon my Democratic friends to change their tactics, and rally around the constitution, to make themselves a true CONSTITUTIONAL PARTY against the revolutionary and mobocratic doctrines preached

by Mr. Clay and his Whig friends, both in and out of congress. They have, it is true, paid little heed to my call, nay, no heed but to abuse me for making it. No matter. I am not, for that, out of humor with them, nor am I discouraged. They will hear me one of these days, and, I trust, before it is too late. Good may come out of Nazareth, and therefore they need not reject a good thing because they find me advocating it. But if they hear not me, I trust some one will be found to make the same call whom they will hear.

The doctrine which I have wished to see my Democratic friends insisting on, instead of the doctrine taken up by Mr. Clay and his friends, is,

1. That there is no security under any absolute government, whether its form be monarchical, aristocratic, or democratic;

2. That the sovereign power, wherever lodged, in the one, the few, or the many, *should be limited*, restricted in its action to matters of common weal, leaving the whole sphere of what is purely individual, to individual conscience and responsibility, and to moral and spiritual influences and restraints alone;

3. That the constitution intended to *restrain* the sovereign power, and confine it to a prescribed sphere of action, cannot answer its end, if it be a *mere grant* from the sovereign, revocable at will; or in popular governments a *mere ordinance* of the people, alterable at the pleasure of the majority;

4. That the constitution, in order to answer its end, must be such a constitution, or *organization of the state*—such a real, not merely *prescribed* distribution of the active and passive, the positive and negative powers of government, as will enable a constituted minority—not to rule the majority, but—to hinder effectually the majority, when so disposed, from encroaching in its acts or measures on the rights of minorities and individuals;

5. And lastly, that our first duty is to labor to introduce such a constitution where it is not, and to preserve it as the apple of the eye where it is; whence it follows that we must frown down every attempt to advance even liberty and social well-being, save in and through forms authorized by the constitution.

The only point of doctrine here involved on which my Democratic friends and I can have any controversy, concerns

the power lying back of the constitution. In my theory of government, the *constitution is itself ultimate;* for it is not the *written* instrument, but is the *actual* constitution or organization of the state. *It* is the sovereign, and, when wisely adapted to the real character of the country, the genius and pursuits of the people, it is always self-sufficing. But my Democratic friends who oppose me seem to me to regard the constitution merely as a written instrument drawn up by the people, and alterable at their pleasure, and, as some of them have contended in the case of Rhode Island, alterable at the pleasure of a bare majority; and this bare majority coming together informally, and acting without any regard to its provisions. If this be so, what restraint can the constitution impose on the will of the majority? A constitution that cannot govern the people as well as the individual, the city as well as the citizen, obviously is no restraint on the sovereign power; but, whatever its provisions, does in reality leave the sovereign power absolute, and therefore is, as I have said, as good as no constitution at all. The will of the people, not the constitution, nor the will of the people expressed only through the constitution, but the will of the people unorganized, independent of the constitution, is in this case the true sovereign, and therefore may at any time rightfully override the constitution itself. This is to bring us under absolute government, from which nothing but a constitution in the other sense, a constitution or organization of the body politic, can relieve us. The point here involved I wish my Democratic friends would reëxamine.

But, when I talk of governing the people, I am asked, "What, would you have a monarchy or an aristocracy placed over the people to govern them?" Not at all, my good friends; I am no monarchist, no aristocrat; and if we had a monarchy or an aristocracy, I should have the same reason as now to demand a limit to the sovereign power. Assuredly, one may as well trust to the absolute rule of the whole people as to that of one or of a few. The intimation of the editor in his note, that I propose to control the democratic element by introducing the aristocratic or monarchical element, which was the damning sin of old Federalism, is unjust to me, unwarranted by a single word I have ever written or uttered, and not what I had a right to expect from his known candor and his personal friendship. I have said already that the power that is to control the people

must be found, not merely in the written instrument called a constitution, but in the actual constitution of the state. If my friends will not misunderstand me, and say that I contradict myself, I will say that the whole governing power is and should be vested in the people, but in the people organized; yet not organized in *one consolidated body*, but so organized that the action of the whole is always through the parts, or at least can never transcend what all the parts will tolerate.

I have no faith, as I have often said, in the intelligence of the people, and I have no assurance of good government when I have nothing but their intelligence and virtue, as *a consolidated mass*, on which to rely. But the pursuits and interests of the people are various—each of these interests has, as it were, an instinct of self-preservation and self-advancement. Take an illustration given me in conversation by Mr. Calhoun. We will suppose a town composed wholly of tanners and shoemakers. It will require more men to work up the leather into shoes than it will to tan it. In every case then in which they come to vote, the shoemakers, being the numerical majority, can carry it over the tanners, and have it all their own way, and therefore impose any burden on the tanners they please. What will you do? Suffer the shoemakers to tyrannize over the tanners? Not at all. Introduce the system of *concurring* majorities, and place against the majority of the shoemakers the majority of the tanners. These majorities will cancel one the other. If the tanners seek to carry it over the shoemakers, they will be resisted by the opposing majority of the shoemakers; if the shoemakers undertake to carry it over the tanners, they will be defeated by the opposing majority of tanners. Then each finds itself unable to proceed, the moment it attempts to gain an exclusive advantage, and both are obliged to desist and fall back on those measures on which they can both agree. These measures will be only those which concern them, not in their distinctive capacity of tanners and shoemakers, but in their simple capacity of men and citizens—the only capacity in which government should ever know us. Apply the principles here illustrated to the whole people, and you have in the whole people, regarded as minorities, a force that will compel the government, or whatever party has the control of it, to fall back on such matters as concern all alike,—the parts, minorities, in regard to the whole, but represented by the majority of

each part. This would be democracy as defined by the Massachusetts state convention some years since, "*The supremacy of man over his accidents*," that is, the constitution or frame of government, which not only *says* it *ought* to confine itself, but which *actually* does and cannot but confine itself to the wants and interests of men in their simple capacity of human beings, and legislates for them solely as men and as citizens, and not for them as rich men or poor men; learned men or ignorant; as merchants, manufacturers, shoemakers or tanners; or according to any other of the *accidents* of social or individual life. In reality this theory of government, which is not mine, but which I have learned from men at whose feet I count it an honor to sit and learn, is much more *popular*, and secures a much larger share of individual freedom, and leaves altogether a larger field to "Free-Will, Conscience, Reason, and the Bible," than the consolidated democracy against which I have so often and so indignantly protested—and for protesting against which I am called a conservative and an aristocrat.

Having said so much in defence and explanation of my own views of government, I must say one or two words concerning my friend's defence of the people in his note appended to my furious attack on them. Nearly all the instances, save so far as speculative errors were concerned, which I adduced in defence of my position, I adduced from the conduct of the Whigs. The editor I am sure agrees with me in my estimate of them. Wherein, then, could I have offended my *Democratic* brother, save in calling the Whigs *people?* This may go hard, I know; but, if we are democrats, we must not be too aristocratic, and therefore, however much it may go against the grain, must admit that even Whigs are PEOPLE. In apparently denying this, the editor, I must think, was not wholly democratic. The editor says, "the people have their *moments de vertige*," that they "are not infallible; that they both can do and have done, and will often continue to do, very wrong—very foolishly, aye, and sometimes very *wickedly*, wrong." This from an *apologist* for the people? Pray, what more have I said in my wrath against them, when obviously intending to say the worst of them that I could? Really, the apologist leaves the people worse by his admissions, than I by my accusations. But suppose the people, in one of these *moments de vertige*, should fasten upon themselves such a

series of measures as, but for the intervention of a merciful Providence, they would have done in 1841? These *moments de vertige* are arrant rogues, and the wise, practical statesman will always study to give us some guaranty against the mischief they may do. I wish not to be too near Alexander when over his cups.

The editor accuses me of recanting, and striking from the old flag under which we fought in 1840, one of its brightest mottoes, and he protests as a brave knight against the alleged desecration of our glorious old *Oriflamme.* Will he allow me, as an humble squire, who did his duty as he could in the memorable campaign, and who certainly received some wounds if he gave none, to protest also against *his* admission that the Whigs "did just about right," nay, that "they served us just about right"? I confess that I was not prepared for this admission from the *Democratic Review.* Thank God! that whatever else I may have done, whatever desecration to "our glorious old Oriflamme" I may have been guilty of, I have never yet so far *recanted* as to admit that the conduct of the party, much less the cause of the party I then opposed was just, and that I and my party deserved to be defeated. I went into that campaign, feeling that I was there to fight the battle of freedom and truth, for the cause of my country and my race; and whatever changes have come over me, no change has come over this feeling. I feel to-day as I did then. To the then Democratic candidate for the presidency, I had and have no strong personal attachment. He was not, and never can be, the man of my choice; but I regarded then, and I regard now, his defeat as a serious calamity to the country, —a defeat, from the disastrous effects of which on the country, it will require our most strennous and wisely directed efforts for years, under the most favorable auspices, to recover. I believe there are *crimes* recorded in history, and I cannot bring myself to believe that all events that fall out are for the best. Providence may overrule man's folly and wickedness, but man himself should profit under a humiliating sense of his short-comings, and be thankful that he is not always left to reap the natural fruits of his doings.

But enough. If I have made too liberal a use of the personal pronoun I, it is not because I do not feel my own insignificance, but because I could better bring out the views I have set forth in connection with my own action, and place more distinctly before the public the doctrines I

wished to inculcate in this than in any other way. What I want is to get these doctrines fairly considered, and if they are but so considered, it is matter of little consequence to me in what estimation I may be held, or the charges that may or may not be brought against me. For my own reputation, any further than a good name is needed to enable one to serve his country, and as a legacy which every man is bound to leave to his children, I care nothing at all. "Strike, but hear!"

ORIGIN AND GROUND OF GOVERNMENT

[From the Democratic Review for 1843.]

ARTICLE I.

NOTWITHSTANDING the very general and even absorbing interest which the great mass of American citizens take in political matters, and the confidence with which almost every one utters his opinions on the abstrusest problems, politics as a science is almost entirely unknown and unheeded among us. Some few of our politicians have examined with considerable care and with tolerable profoundness, the general principles of our federal constitution, and certain questions of practical legislation, but, setting aside Mr. Calhoun, of South Carolina, we are not aware of a single American citizen who gives any *public* demonstration of his having ever studied, profoundly and scientifically, the great problems relating to the origin, ground, and constitution of the state. No work on politics, of the slightest scientific value, written by an American citizen, has ever, so far as our knowledge extends, issued from the American press. This all but universal neglect of politics as a science, is deeply to be lamented, and at first view is truly astonishing; but we are so engrossed with questions of practice, that it is rare that we ever dream of recurring to first principles.

We, as American citizens, should look upon this fact as a source not only of regret, but of shame; especially since we boast of having opened a new school of politics for the world, and hold ourselves up as worthy of all imitation.

But, after all, this boast is vain. We have opened no new school. The American school of politics is among the things that are to be, but as yet are not. I am not aware of a single contribution that we have made to political science; and the political theory or theories we are laboring to reduce to practice, did not originate with us, but were put forth by political philosophers in the Old World, before we even began to exist as an independent nation. Our principal masters are Hobbes, Locke, Montesquieu, and Rousseau, whose lessons we rarely fail in some degree to reproduce, whenever it happens that we leave the practical question to consider the principles it involves.

This statement will not be received with much favor; there is nothing in it flattering to our national vanity; nothing that goes to justify our very general conviction, that we stand in the very front rank of the more enlightened nations of Christendom; but I make it, because I sincerely believe it to be true, and because I would provoke my countrymen, especially those whose leisure and education qualify them for such studies, to turn their attention from mere questions of practice, of detail, to the study of the great, fundamental problems of the state; and by so doing, relieve the country of the reproach and the curse of the present political empiricism which obtains in all departments of our several governments, whether state or federal. It is time that we should cease to flatter ourselves that politics is a science which we have finished. Never yet was there a people enabled to commence their national existence under so favorable circumstances as we were, and never yet was there a people who knew so little how to avail themselves of the advantages of their position. A little more delay, a little longer continued imitation of foreign political quackery, reinforced by our own inventive genius, and all our advantages are sacrificed, and we are in no better condition for working out the social problem, than are the most corrupt nations of the Old World.

But the evil does not rest here. I guard myself, indeed, as I have promised to do, against impeaching the virtue and intelligence of the people; but it cannot be denied that our politicians not only disregard all questions relating to the origin and ground of the state, but they sneer at all such questions, as metaphysical, as abstractions, as altogether beneath the notice of the wise, practical statesman. But for my part, I have never yet been able to persuade myself that

political capacity, legislative wisdom, accomplished statesmanship, come, like Dogberry's reading and writing, by nature; nor that there is in the mere democratic form of government, any marvellous virtue to convert all who are born under it, into true enlightened statesmen without any study or mental discipline on their part. I hope that I shall not be drawn and quartered for *lèse-majesté*, if I insist that even our American people might profit not a little by a more earnest inquiry into the principles of government as a *science*, and by a more familiar acquaintance with the great principles of all just legislation, and wise administration. For, notwithstanding the eloquent and philosophic author of the History of the Colonization of the United States contends, —and brings, in the case of the Carolinas, very strong reasons to sustain his thesis,—that simple practical planters can surpass the profoundest philosophers in the organization of the state, and in devising a proper frame of government, I must still believe that science is preferable to ignorance, and the wisdom resulting from it more worthy of reliance than popular passion, or even popular instinct. Some degree of instruction is necessary to qualify one to make a shoe; is less necessary to qualify one to follow the art of legislating, or administering the government?

There is a strong tendency,—and I hold, a dangerous tendency,—among us, to underrate the importance of liberal studies, philosophical investigations, profound scholarship, and scientific attainments, and to extol and defer to the alleged wisdom and good sense of the mass, which practically means the wisdom and good sense of the small minority at the head of one or the other of the two great political parties into which the country is divided. Mere scholarship for the sake of scholarship, is no doubt contemptible; we want no pedantry, no dilettantism. That sort of scholarship which, in its spirit and effects, looks never beyond the cultivation, the interest, or the pleasure of the scholar himself, deserves and can deserve no encouragement from a Christian people. All scholarship, or scholastic, or scientific, or even artistic attainments, like the possession of property, place, or power, should be regarded as a sacred trust, to be used not for the personal good of the possessor, but for the moral, intellectual, and social elevation of the mass. The literature we want in this country, is not the literature which results from deferring to popular passions and instincts, nor indeed the literature that rises not above

the simple apprehension of the majority; but a literature that breathes a free, noble, and generous spirit; that is full of the love of man as man; and that kindles up a holy ardor in all who come under its influence, and imparts to them the needed wisdom, to labor for the moral, the religious, the intellectual, and the physical well-being of all men, especially of the poorer and more numerous classes. The tendency of which we speak, is to the creation of a literature the reverse of this. It is a levelling tendency; but it levels downwards, and not upwards. Instead of feeling it an imperious duty to instruct and elevate the mass, the tendency amongst us is to take our law from the mass, and to bring thought down to a level with the narrow views, crude notions, and blind instincts of the multitude. If this tendency is continued and encouraged, our whole intellectual world will become superficial and void, and American life too feeble a thing to be worth preserving.

What is most dangerous in this tendency, is the fact that it is thought to be democratic, and is encouraged by some who have the ears and the hearts of the democracy. To set our faces against it, is to expose ourselves to the vague charge of being aristocrats, and to be denounced as the enemies of the people, as men who have no confidence in the people, no love for popular government; but who would introduce a monarchy, or build up an aristocracy, or something else quite as bad, if not worse. But I for one meet this charge here on the threshold. I deny that this tendency is democratic, or that it results from democracy; it is decidedly anti-democratic, and originates in the abuse, in the perversion of democracy. There is democracy, in any worthy sense of the term, only where each man has a mind of his own, and utters that mind, clearly, distinctly, without suffering it to be lost in the voice of any other man. Moreover, democracy, regarded as a principle, is not necessarily a deferring to the mass, but is the wise and just institution and administration of government, for the highest and best good of the whole people. I am thought to want confidence in the people; but I have really more confidence in them, than he has who said the other day, "Since I have been in office, I have made it my duty to ascertain and conform to the will of my constituents;" for I dare tell the people what I believe to be the truth essential to their well-being, and to contradict them to their very faces when I believe them in the wrong. But my confidence in the people is in their capa-

bilities, and not in their actual attainments, or in the practical wisdom of their actual judgments. The people in whom I want confidence is the political people, the people whose voice we collect at the ballot-box, who in fact are, and always must needs be, only a small minority of the whole population. The genuine people, if their voice could really be heard, would be loud and earnest in condemnation of the tendency of which we speak. They feel that they want intelligence, want light, and they look eagerly around for it; but between them and the light stand ever this immense body of shallow-pated politicians, who dread nothing so much as popular intelligence, and whose sole chance of success is in shutting out the light, and making the people believe that they, the people, are already masters of political science. Here lies the evil. Nearly all our writers, our whole newspaper press, with a few honorable exceptions, do little else than echo what they take to be the dominant convictions of their respective parties, sects, or schools; and if one chances to think for himself, and labor to advance the mass, to elevate the standard of thought, the whole pack,

"Tray, Blanche, Sweetheart, little dogs and all,"

are let loose upon him, and he is forthwith run down, as a wild beast, or a savage who, if suffered to escape, would corrupt the people and eat out their substance, perhaps devour their women and children.

Now, in the name of science, of knowledge, of wisdom, of virtue, *of the people*, *of outraged democracy*, I for one solemnly and earnestly protest against this servility to the mass, a servility, to which a man never submits in good faith nor for honest purposes; but for purposes always base and selfish. I love my country; I love her political institutions; and I am ambitious of seeing my countrymen taking the lead in every department of high and manly thought. I am not willing to be always dependent on foreigners for my intellectual nutriment; I blush to think that when I would read a profound work on science, whether, moral, intellectual, social, political, or religious, I must order it from France or Germany. But so it must be till we cease to hold it democratic to echo only the thoughts of the people, even though it be their "sober second thoughts." We must dare seek for truth, and dare utter it, and dare labor for the elevation of the people, instead of merely obeying them, which will never be obeying them, but the miserable demagogues

and petty politicians, who are raised into importance by the energy with which they scream democracy, and by the loud, windy professions they make on all occasions of devotion to the welfare of the people, and of their great willingness to receive the commands of the people, and to live and die in their service.

There are subjects, and they too of vital importance to the welfare of the whole people, which the great mass do not, and cannot master, and which transcend also the utmost capacity of the great majority of your educated men. There is no use in cavilling at this statement, for it is true, and every man who has paid some little attention to the principles of things, knows it to be true. Enlighten all as much as possible ; and make all subjects as easy to be apprehended as their nature permits ; but never forget that every man is not equal to every thing. There is an infinite diversity of talents and of gifts ; one man can make a good shoe, but no training can enable him to chisel a Venus or an Apollo ; another will make a good bank cashier, but all the training in the world will not fit him to be a good legislator, or enable him to comprehend the fundamental principles of civil society. There must be leaders, and there always will be, quarrel as you will about it. Some men have the natural and acquired gifts to fit them to be political leaders ; others to take the lead in philosophy, in theology, in science, or in literature. The many must depend on these. The results, the benefits of the profoundest philosophy are for the mass, and should be communicated to them ; but the mass do not, will not, and I dare say, *cannot*, understand the processes by which those results are obtained. There must be, and should be an educated class, a class with a scientific culture altogether superior to that to which the mass of men, whatever their wealth or rank, can attain or hope to attain.

In this point of view, all important as are our common schools, we do not well for them to sacrifice our colleges and universities. One great man, well educated, well informed, devoting his talents and his acquirements to the good of his countrymen, shall save it, and secure it many generations of well-being ; a million of half-educated men without him will only ruin it. What would have been our country but for Washington, Jefferson, Adams, Jackson, and last but not least, Calhoun ? He who can speak out the profoundest truths to the apprehension of five hundred of

the best and leading minds in the country, speaks after all to a much larger audience than he who speaks only to the multitude. They who make it their boast that they speak to the many, do after all speak only to the few, and what they speak is not worth speaking; because it is not in advance of what is already realized. Each of these five hundred leading minds to whom I speak, speaks to five hundred more, and thus through them I actually speak to two hundred and fifty thousand, which two hundred and fifty thousand continue to echo on my voice till it reaches the mass of my countrymen,—the mass of mankind. An instance of the importance of profound study, of deep science, is afforded us in the case of Dr. Richard Price, author of a most excellent work on Morals. This work is abstract, dry, and very little read or known. In fact, the work to most minds is repulsive; but it fell one day into the hands of a young man in college; kindled up the generous ardor of his soul; gave a direction to his whole after life; became the chief instrument in forming his mind and intellectual character. That young man was the late Dr. William Ellery Channing. When we take into consideration the wide influence for the good of mankind exerted by the labors of Dr. Channing through his life, may we not say, that a most invaluable service had been rendered by Dr. Price to the human race, even if his book on Morals had had no other direct influence than that which it exerted in forming the mind and character of this eminent philanthropist? Let us, then, cease our adulation of the mass, cease our insane efforts to adapt every thing to the apprehension of the mass, to gauge the amount of truth we may tell, by the amount the multitude can take in; and do our best to gain all truth, to nourish and invigorate us for wisely directed and long continued efforts for the elevation of all men.

But we have been betrayed into a more extended discussion than we proposed, yet if what we have said have the least influence in checking this tendency to the superficial and the vapid which is now so strong amongst us, and which is encouraged by miserable politicians who want place solely for its honors and emoluments, the politicians of seven principles, as old John Randolph of Roanoke characterized them, that is, of "five loaves and two fishes;" and if, furthermore, it have any effect in provoking the serious and reflecting among us to a more thorough investigation of

principles, we shall not regret the length of our remarks, nor that they have delayed longer than we intended our approach to the main subject of our present essay. But we leave them and come to our subject.

What is Government? For what end does it exist? What is its origin and ground? What is the proper or best mode of organizing its administration? These are the great and leading questions which the philosophical statesman must ask and answer in relation to government in general, before he can proceed otherwise than empirically, in the adoption of any practical policy or measures for any given country or epoch.

I begin what I have to say on this subject, which consists of loose hints and suggestions, rather than of a full and complete scientific exposition, to which I am not equal, and for which I should need volumes, rather than a brief essay in a magazine,—I begin by asking, What is Government? I ask this question in an abstract and fundamental sense, in which government is distinguished from this or that form, and from all arrangements which may be adopted or suggested for its practical administration. Government, so far forth as government, must always and everywhere be the same, whatever its form or its arrangements. My question, then, asks, What is government in its essence? not what is its form, nor who or what is the ministry? Let this distinction be observed and remembered between the government and the ministry. The ministry may be lodged in the hands of the one, the few, or the many, and therefore be monarchical, aristocratical, or democratical; but back of the ministry is that which commissions it, and which is common to each of these respective modes of constituting it. This, whatever it be, is what I call the government. Now, what is this? The answer to this question is the answer to my question, What is government?

The answer is not difficult. The essence of government is to govern. The essence of life is to live, of being is to be, of science to know, of cause to cause; in like manner, the essence of government is to govern. Nothing exists for us, or can be made by us the subject of thought or conversation, any further than it is a force, having a power to do somewhat. In government there is always a force, having the power to govern, and it is government no further than it governs. This force, that is to say, that which governs, is the sovereign, that which constitutes the *city* or the *state*.

Government from its very nature, which is to govern, necessarily demands two correlative terms, the *governor* and the *governed*. There is no government where there is nothing that governs; equally no government where there is nothing that is governed. I am an actor only so far forth as I act; a cause only so far forth as I cause or create. I must cause or create somewhat in order to be a cause. So government must govern somewhat in order to be government; and this somewhat must be distinct from that which governs. There must be, then, not only two terms, *governor* and *governed*, but two distinct realities signified by them.

We see here, in the very outset, that *self*-government, which presupposes the identity of the governor and the governed,—which, when transported into philosophy, is the identity of subject and object, *Idealism*, and when transported into theology, is *Pantheism* or *Atheism*, is absolutely inadmissible; and I cannot be driven from this conclusion by any friendly or unfriendly assurances that I "distil my speculation through an alembic of metaphysical subtlety, till it is refined away beyond the comprehension of common intelligence;" nor by being magisterially or scornfully commanded to "away with these cobweb subtleties and sophistications." I have yet to learn that no truth is to be told, that no truth is needed, that goes beyond the comprehension of the *common* intelligence; or that what transcends that intelligence is to be sneered at as "cobweb subtlety and sophistication." These sneers are the easiest answers in the world to reasonings which contradict our favorite theories, but they are answers to which a wise man seldom resorts, and which are far more effectual in silencing than in convincing an opponent. There is scarcely a single important principle in any science that is not too subtle to be comprehended by the common intelligence. These same "cobweb subtleties" are sometimes of the greatest importance, and the gravest practical errors not seldom result from neglecting them. Bacon sneered at the speculations of the old schoolmen as "spider's web;" but Mr. Bancroft in his History of the Colonization of the United States, has as wisely as felicitously replied to him, that "the spider's web is essential to the existence of the spider." It is time to end these commonplace sneers, especially in this country, where a tendency to over-metaphysical refinement is certainly not our besetting sin as a people.

When we understand by *self*-government, the power of a nation to govern itself, to adopt its own form of government, and to administer it in its own way, uncontrolled by any foreign power; or when we understand by the capacity for self-government, the capacity of the people to sustain and administer government, even wise and just government, without the aid or intervention of kings or nobles, the sense in which the term is used amongst us in this country, we of course admit the fact and the right of self-government. But in strictness, democracy, in any sense in which it is government, is no more self-government than is monarchy or aristocracy; and the habit of continuing to call our government self-government, now after our struggle for national independence and against royalty and nobility is over, cannot fail to be productive of the worst consequences. The influence of names is greater than is commonly imagined. A misnomer involves usually an error as to the thing. If we call our government *self*-government, and contend for it under that name, we shall of necessity run in our theories, and in our practice, into no-governmentism.

What in this country is the antagonist of self-government? Certainly not a foreign government, for we are nationally independent; certainly not kings or nobles, for we have declared all men politically equal, and established in the main universal suffrage and eligibility. What, then? The question is important; for the people, in contending for self-government, will contend for it in *opposition* to some antagonist force, and will understand it only in that sense in which it encounters an opponent. The people take words in their most obvious and most literal sense; the refinements that philosophers introduce into speech, they comprehend not, pay no regard to. They always seek to actualize the word in its primary and literal meaning. When they are taught that self-government is the perfection of government, they will struggle to actualize self-government, in the only sense in which it does or can have for them a practical meaning. What practical meaning has or can have the word with us? Assuredly it has and can have but two meanings. It means, first, the absolute independence of the people, taken collectively, to establish and administer government, free from all restraint whatever; and second, that each individual has the right to hold himself free from all governmental control save so far as he voluntarily subjects himself to it.

Now, if we watch closely the signs of the times, and consult the minorities of to-day threatening to become the majorities of to-morrow, we shall find that the people are beginning to give the word, some its first meaning, some its second. In the first sense, self-government is interpreted to mean the absolute sovereignty of the people as a collective and *consolidated* mass, and from this it is inferred by an unerring logic, that therefore all restraints on the will of the people, all impediments to the free and full exercise of popular sovereignty, are misplaced, mischievous, and should not be tolerated. Whoso consults the movements, speeches, and resolutions of the radicals in New York and elsewhere in the country, the truest exponents of the popular views of democracy, and recognized as such at the present moment by men high in the confidence of the Democratic party, must perceive and be convinced that this is the sense in which the popular mind is beginning and may continue to understand the term self-government. So understanding the term, the people will seek to actualize its meaning, and they are at this moment bent on actualizing it, and on sweeping away every impediment to the free and full expression, in an authoritative manner of the popular will.

From the absolute independence of the people as a consolidated body, on the ground it is contended for, there is but a step to that of the individual; and already there is a party amongst us—not very numerous indeed—which has taken that step openly and boldly. This party contends for *self*-government in its most unlimited sense, and denies the legitimacy of all civil and political organizations, and declares the individual subjected to no law but that of God revealed through conscience, and enforced by moral suasion. These, known amongst us as no-government men, are almost the only consistent theorists in the country; the only class that has the courage to push premises, common to a great majority of us, to their last and legitimate results.

I pray my readers not to call all this mere subtlety and over-refinement in the use of language. It is not so. In speaking to philosophers, strict accuracy of expression is of little moment, for the philosopher catches your meaning, and is able of himself to give it its requisite qualifications; but the mass of the people are free from all subtlety, are plain, straight-forward, consistent reasoners, taking, as I have said, words in their most obvious sense. If these words in their primary and most obvious sense involve an

error, that error will serve always as one of the premises from which the people reason, and will therefore vitiate their whole reasoning. The mass are always admirable logicians. The most thorough-bred dialectician can add nothing to their logic; but, in revenge, they *never verify their data.* Their premises are always assumed, and they never, whatever the result to which their logic drives them, think of returning and inquiring into the soundness of their premises. Hence, the great importance of giving to the people correct data; and this we shall never do unless we express those data in terms whose primary and obvious sense is the one in which we wish them to be taken. Tell them, make them believe, that *self*-government is what they are to contend for, they will contend for it in the only practical meaning it has for them in their actual condition. Self-government to the Poles and the Irish people would mean, would by them be understood to mean, the restoration of Poland and Ireland to nationality; the independence of Poland of Russia, Prussia, and Austria, and the independence of Ireland of Great Britain. Self-government to the people of France or Great Britain would mean freedom from kings and nobles, and the establishment of popular forms of government. Self-government here, where we are already nationally independent, and where the form of government is already popular, can mean for the mass only the absolute sovereignty of the people as a collective, consolidated multitude, or the absolute sovereignty of each individual; and, in point of fact, save by a few authors more correct in their views than in their language, is understood by the mass of us in only one or the other of these two senses.

But in either of these senses, self-government will be found, on analysis, as in practice, to be equivalent to no-government. Wherever there is government, there must be both that which governs and that which is governed. That which governs is not and cannot be that which is governed; for to govern is to restrain, to guide, to direct. But if the governor, so far forth as governor, be identical with the governed so far forth as governed, the restrained is the restrainer, the guided is the guide, the directed the director. But what kind of restraint is that which is exercised by the restrained? How, in the nature of things, can that which restrains, be itself restrained in that it restrains? that which guides, be guided in that it guides? that which directs be

the directed? When the two terms are identified, you have all in the restrainer that you have in the restrained, and all in the restrained that you have in the restrainer. If the law controls the people, how can the people, as subject to the law, be the force that imposes the law? If they could be, as subject to the law, the force imposing the law, they would be as much the sovereign in obeying the law as in imposing it. But a sovereign under law, a sovereign *subjected* to law, is no sovereign at all; for in that it is subjected, it is not sovereign, but subject; so, on the other hand, a subject that is sovereign is not subject; for the essence of subject is to be subject, and not sovereign, and the essence of sovereignty is to be sovereign, and not subject. If, then, we mean to talk sense and not nonsense, we must either give up all government, and become no-government men outright, or admit a distinction between the governor and the governed.

I have dwelt the longer on this point, because I am positive that it is one of great practical importance. The notion of self-government, in the only senses in which it can be practically entertained in this country, is fraught with mischief. It strikes at the very foundation of all virtue, of all morality. Government is not only that which governs, but that which has the *right* to govern. The governed, then, are not only *forced* to obey, but they are morally *bound* to obey. Obedience is a duty. We owe allegiance to government. Here is the foundation of Loyalty, which is not only a virtue, but the sum and substance of all virtue. We in this country are chary of the word loyalty, for we probably look upon it as the correlative of royalty; and we not only seldom use the word, but we seldom exhibit the moral quality it implies. Yet a disloyal people are in no enviable state. The man who has no loyalty, no sense of a power above him that he is bound to obey, which he owes allegiance to, and should love and reverence, can be no good citizen, is no true man, but

> "Is fit for treasons, stratagems, and spoils."

Let no such man be trusted. But, on the hypothesis of self-government, where is the ground of loyalty? The very conception of self-government excludes that of loyalty. We cannot be loyal to ourselves, nor to the work of our own hands. The transcendental nonsense which has in some parts of our country been rife of late, about loyalty to self, about "obey-

ing thyself," and all that, needs no serious refutation. Even what is commonly termed self-government, when understood of individuals, as when we say, Govern thyself, is not, strictly speaking, self-government, nor obedience to a *self*-imposed law, but obedience to the law of God, enforced, it may be, not by physical means, but by moral means.

Understanding by government that which governs, that is, the sovereign; and by the sovereign that which has the right to govern, that is, the *legitimate* sovereign, and to which we owe allegiance and should be loyal, we can easily arrive at a correct definition of civil or political Liberty. Civil or political liberty, for the individual citizen, is freedom from all obligation to obey any commands but those of the legitimate sovereign. Tyranny, civil oppression, is not in being held to obedience, but in being held to obedience to that which is not commanded by the legitimate sovereign. To be under no obligation to obey the legitimate sovereign, or any sovereign, is not liberty, but license, and is alike incompatible with the well-being of the individual and of the community. Liberty is never to be understood as exemption from all restraints, nor from all restraints but those which are *self*-imposed, which, as we have seen, are no restraints at all; but freedom from all restraints but those imposed by the legitimate sovereign. These restraints are never to be regarded as tyrannical or oppressive, however stringent they may be. I am bound to obey the true sovereign, if he commands, unto the loss of all my property, my personal freedom, and even my life. He may command all, and I withhold nothing; for my right is to be commanded by no other, and in his presence it is simply the right to obey.

Now, as liberty is the end not only of all government, but of all human aspiration and effort, it follows that the great concern with us all is to find out who or what is the legitimate sovereign. This leads us directly to the inquiry concerning the origin and ground of government. Whence and what is the state? Whence and what is the ground of its authority? These are great questions, questions of vital importance, but which I have room to answer only briefly, and which, I am free to confess, I should not be able to answer quite to my own satisfaction in all respects, even if I had ever so much room. I am very far from looking on politics as a science which I have myself mastered. I am still a learner, and need instruction, like the ma-

jority of my countrymen, and I discuss the subject, not so much for the purpose of dogmatizing as of provoking to its consideration other and abler minds, which, when fairly engaged with the true problems, will not leave them till arriving at some tolerable solution.

The origin of government, considered in itself, as an isolated question, is of no great practical importance; it becomes practically important only when we make the theories we adopt concerning it the basis of our doctrines on the ground and legitimacy of the authority of government. Four different theories have been put forth on the origin of government, which it may be well in passing briefly to examine.

1. Its origin in the express appointment of God;
2. In the spontaneous development of human nature;
3. In the authority of the father of the family;
4. In the social compact formed by the people in convention assembled.

This last theory was very generally embraced by the friends of popular government in the last century; it appears to have been the prevailing theory with the framers of our several constitutions, state and federal, and is yet the dominant theory with our countrymen, so far as theory they have on the subject.

I am not sufficiently versed in the literature of politics to be able to say when or by whom this theory was first put forth; traces of it may be found far back, but it seems to have first grown into importance, in the English rebellion and revolution, in the seventeenth century. It received its earliest philosophical statement from Locke in his Treatises on Government, and is by him put forth as a ground of freedom, in opposition to the theory of divine right, which was so construed as to be a foundation for the grossest tyranny. Rousseau borrowed it from Locke, and developed it with a new force and consistency, and gave it its last finish.

This theory of the origin of government assumes that there is and can be no just government which does not originate in the consent of the governed. The right, the legitimacy of government, is founded solely in this consent, and is limited by it. It also assumes that civil society is not as old as men; but that prior to the formation of civil society, there was what we may call the state of nature. In this state of nature, in which mankind lived before civil

society, all men were equal; every one had an equal right to all, which practically, as Hobbes remarks, was equivalent to no one's having a right to any thing. This state is not that best fitted to mankind. Owing to the restlessness, to the selfish passions of each, it is a state of perpetual war. Each seeks to appropriate all to himself. The strong oppress the weak; the cunning circumvent the simple; there is no peaceful industry; no security for persons, no security for property—for as yet property is not. Having experienced the evils of this state for an unknown length of time, mankind were forced, by a sense of their common wants, to come together in a convention, formal or informal, and to enter into a compact or agreement each with each and with all, by which each consents to surrender up to the whole his particular or natural rights, that he may receive in return the protection of all, in life, property, and the pursuit of happiness, which each, as a member of the whole, pledges to each and to all. Civil society, the state, is created by this convention, and this consent is the origin, ground, and limit of its just powers. The state has no rights, no powers of its own; but its rights and powers are made up of the rights and powers surrendered to it by the voluntary act of the individuals forming the compact. This in brief is the theory as given by Rousseau in his famous *Contrat Social*, which in principle is the same as that given us by Locke, and differing from it only in this, that according to Locke the contracting parties are the rulers on the one part, and the people on the other part; whereas, according to Rousseau, the contracting parties are the people alone, each acting individually, and binding himself to each and to all.

To this theory there are several weighty objections. This state of nature, of which Hobbes has so much to say, and which was the phantom that haunted all the philosophers of the last century, is a fiction. A state in which men exist without government of some sort, in some degree, is nowhere encountered in history. The rudest savages do not exist in this state of nature, but in tribes, septs, clans, acknowledging each a head, and manifesting some degree of organization and subordination, and therefore at least the elements of civil society. Moreover the assertion of this state involves another fiction, namely, that man in civil society is out of nature, and therefore that civil society, civilization itself, is unnatural, a fall, a depravation; and therefore again that man's true good consists in the speediest

return possible to the state of nature. Hence Rousseau tells us that "the man who thinks is a depraved animal." A return to the truth, beauty, simplicity and loveliness of nature was the burden of Volney in his *Ruins*, and *Law of Nature*, and especially of Saint-Pierre in his *Indian Cottage*, and *Paul and Virginia*. Yet one would like to know when or how man got out of nature: and wherefore civil society is not as natural to man as eating, drinking, and sleeping.

Nor is this all. The assumption of the origin of government in a social compact, is susceptible of no historical verification. It is, to say the least, a mere fiction. Compromises may have at times been made between the different estates of an empire, and conventions may have altered the administration of government, or instituted and commissioned new ministries; but there is absolutely no instance on record of a government which has originated in a compact formed by the people in convention assembled.

Some of my readers at first sight may be disposed to question this statement, and to allege that our own governments have all so originated. But our governments offer no exception to the assertion I have made; not one of them has originated in a compact entered into by the people assembled in convention, either personally or by deputy. There has never been a period since the first settling of this country when we were without government. In each of the states there was, prior to the convention of the people, a government, to which the people owed allegiance, and by the authority of which the convention was called. Historically and legally considered, our present governments derive from the colonial governments, which in turn derive from the English government, through the royal charters creating them.

Nor let it be supposed that the revolution affects this fact in the least. The American revolution did not dissolve the colonial government, and throw the colonists into the alleged state of nature, that is to say, into a state of complete anarchy. It did not in any sense whatever leave them without government. The American revolution was no insurrection of individual citizens against established government, was no assertion of the right of individual citizens, in their own name and on their own responsibility, to resist established governments, to abolish existing government, and to institute a new government. There was with us no

rebellion against established authority, in that sense there would be were there a portion, no matter how large a portion, of the citizens of a state, to resist and attempt to overthrow in a peaceful or a hostile manner the constituted authorities. The charters granted by the crown had created us distinct communities, bodies corporate and politic in ourselves. We were thirteen distinct communities, each with a government of its own, supreme over the colonists, though externally dependent on the British crown. British law, as such, was not in force here; did not and could not reach and bind us as citizens or subjects of Great Britain; and it was precisely the efforts on the part of the British parliament to reduce us to the state of subjects of Great Britain, so that British law could operate directly on us as individuals, that led to the rupture, and the entire political independence of the colonies.

But this origin of government in a compact framed by the people in convention assembled is not only a fiction, but an impossible fiction; for prior to the convention, on the theory we are considering, there were no PEOPLE, that is, no people in the sense in which they could come together in convention, and be capable of acting and forming engagements. The people capable of assembling in convention, and forming contracts, must be already associated, organized into a community, a body, a sort of collective individual. But the people so organized, so associated, are already a state, a civil society. If, then, we were to assume the origin of government in a compact, we should be obliged to assume that the people could act before they existed, for their action in forming the compact presupposes their existence as civil society.

But waiving all these objections, even admitting the origin of government in what is termed the social compact, this origin will afford us no sufficient ground for the authority of government. Prior to civil society, in the assumed state of nature, man had no rights, no duties. Are rights and duties matters that can be created by conventions, matters that have no higher, no more sacred character than a bargain or agreement which people make with each other? If so, where is the sacredness of authority, the obligation of the citizen or subject to obey the state? Could government subsist for one day, if people believed the law was a mere emanation of human will, a mere ordinance of human beings? What force could the decrees of the convention,

or the conditions of the compact, have for the conscience, if we recognized nothing in the law transcending the will of a mass of individuals; nothing in it holy, divine?

We have defined government to be that which governs, and that which not only governs but has the right to govern. It is not a mere agency, a ministry, but is supreme, imperative. It is sovereign; and the sovereign, so far forth as sovereign, has the right to command what he pleases. In the state of nature, there is no sovereign; the convention is called for the purpose of creating the sovereign. But is sovereignty a thing to be created? The sovereign is over and above the individuals to be governed; that to which they owe allegiance; which has the right to command them. Can these individuals create it? Can the creator be subject to the creature; owe allegiance to it; be loyal to it? Obviously then, if there be in the state a sovereign power at all, it is not created by those who are to be subjected to it; and, if there be no sovereign power in the state, we may as well close the discussion and give up talking about government.

The fundamental error in the theory we are considering, is in the assumption that government has and can have no just powers but those derived from the consent of the governed. This assumption would resolve all government into self-government, which we have seen is the equivalent of no-government. The individual on this theory is under no obligation to obey a power to which he has not given his consent, or to submit to a law from which he withholds it. Every individual has, then, the right, so far as concerns himself, to arrest the action of government at any moment. How long could government coexist in any community with the recognition of this right of the individual to arrest its action?

It is said that prior to the compact there is no sovereignty; but this is not quite true. The individual must be capable of contracting, which he would not be, if he had not the sovereign disposal of himself. Each individual, then, must be sovereign, though limited to himself, by the equal sovereignty of every other individual. It is contended that all are free in the state of nature, and equal. So says Locke, so says Rousseau. No one man, no body of men, has any right to control another. This freedom, this immunity from all subjection, is precisely in this case what we mean by sovereignty. If there was not this sovereignty

in the individual, whence his right and his ability to form contracts? No social compact could be formed. Independent, then, of civil society, every individual is a sovereign; that is, so far as concerns himself.

Now, sovereignty must be alienable or inalienable. If it is inalienable, as I contend, and as does Mr. Jefferson, in the preamble to the Declaration of American Independence, then the individual retains all the freedom in civil society that he has out of it. No man, no body of men has the right to control him. He can be bound by no obligation. The powers he has delegated to the government still vest in him, and he may revoke them when he chooses. Where, then, is the authority of government over him? Suppose he has murdered, and the government would punish him; it must induce him to consent to be choked to death before it can have any right to hang him. Few men, we apprehend, would give their assent to a law which would place a halter round their own necks. If we assume that sovereignty is inalienable, that is, that a man cannot alienate his natural freedom, we are obliged to come to the conclusion here stated, obviously incompatible with all government.

But we are told that the man is bound to keep his engagement, and when he has once given his assent to civil society he is bound to abide by its decisions, and it has the right to enforce his obedience. That is, sovereignty is alienable, and a man on coming into civil society surrenders up his natural freedom, his natural rights, to the whole, and consents to receive in turn only such rights as the whole or a major part shall concede him. This is Rousseau's doctrine. But in this case the individual merges himself in the community, becomes the complete slave of the state, and has no individual existence. However unjust or oppressive the acts of the state, he has not only no redress, but not even the right to complain. As an individual, he has no rights, no existence; where would, on this hypothesis, be the significance of that phrase, which has kindled some hearts and exerted some influence in the world, the "Rights of Man?" Man as man would have no rights; his rights of man would be merged in his rights of citizen—a doctrine which, I believe, we Americans will be slow to admit; for we contend that government has for its mission the full and unequivocal maintenance of the rights of man, of each and every man, in all their plenitude.

It may be said that the individual does not give up all

his natural rights, he only surrenders a portion, in order the more securely to enjoy the remainder. Be it so; who is to determine where the line is to be drawn between the rights surrendered, and the rights reserved? If society, the reservation will amount to nothing, for it will so interpret its own powers as to take all the rights of the individual; if the individual, the surrender will amount to nothing, because the individual may so enlarge the sphere of his reserved rights by interpretation, as to render the action of government in restraining him null. If, then, we found government in compact, we either leave the individual his natural freedom, and then we have no government; or we subject the individual to the state, and then no individual liberty. Either consequence should lead us to reject the theory.

But we have not yet done with this theory. We insist on its being pushed to its last consequences, if it be adopted at all. If government is founded in compact, and derives its just powers only from the consent of the governed, certain it is that it should be restricted in its authority to the contracting parties, to those who have actually and expressly given their consent. These are never more than a small part of any community. Admit, if you insist, that the act of voting may be construed into an assent, this would include only a portion of the adult males. Those to whom the political franchise is not extended among adult males, women and children, as well as all those adult males who do not exercise the elective franchise, though entitled to it, are out of the political society; are in the state of nature. What right has government over these? Will you say they are *represented* by the others? What right, in the state of nature, where all individuals are equal, has one man to represent another, or a man to represent a woman? Nay, where in this state of nature is fixed what we call *majority*, so that a man shall not be a member of the body politic till of a certain age? Is not the fixing of the majority an act of civil society? How, then, can it be obligatory on those who have not given their assent? The chief justice of Rhode Island, in a very able charge to the grand jury, in which he discussed the proceeding of the Suffrage party, contends for this theory of the origin of government in compact. Yet the learned judge contended that the laws of Rhode Island were as binding on those who had not the right of suffrage, as on those who had. We do not dissent from his conclusion, but we should like to know how it can be obtained from his premises.

This objection is sometimes met in part by saying that persons by residing under a given government, do thereby give their assent to it, and are bound to obey it or to leave its territory. This does not meet the objection in the case of minors and women; for we apprehend that the state itself would soon leave itself, if all the women and children were to leave it. Nor is it a satisfactory answer in the case of the others. By what right does Massachusetts infer, from the simple fact of my continuing to reside within the limits of her territory, that I give my assent to her government and laws? The continuance of an individual to reside within the jurisdiction of a given state, may be and often is much more a matter of necessity than of choice. It may be and often is his only alternative. He may be too poor to emigrate, or to sustain himself in another land; he may be attached to his native soil, and be unwilling to desert it; attached to the home of his childhood, the friends and associations that have grown up around him and with him, and he may count it a less evil to submit to an order of things of which he decidedly disapproves, than to break away from these, without which, if he be of a sensible nature, life for him would be hardly worth possessing; he may have duties to perform to his country, to his family, to his friends, which can be performed nowhere else; and, in fine, though by no means assenting to the existing government under which he continues to live, he may not know where to look for one he would like any better, and therefore resolves to submit to the evils he knows, rather than to fly to those he knows not of. If assent is intended to be assent, to be any thing more than a mere constructive assent, which is no assent at all, any thing more than a mere fiction, an empty word, it must be given in some more positive and less equivocal form than that of one's continuance to reside within the jurisdiction in question. It is too late in the day to plant ourselves on mere forms; what we must henceforth look for is reality, the substance. We must learn to call things by their right names. If we say government derives all its just powers from the assent of the governed; if we erect this into a fundamental principle, and rest our whole political edifice on it, let us do so plainly and unequivocally, in the most obvious and literal sense of the term. The assent must be assent, and assent is no assent unless consciously, intentionally, freely, given.

But enough of objections to this theory of the origin of government in compact. The truth is, I apprehend, that very few, after all, take this theory literally and in its full extent. In order to do justice to those who have set it forth, and continue to set it forth, we should consider against what opposing theory they set it forth, and with what motive. The old European governments had become not a little corrupt; they had ceased to be administered for the good of the governed; nay, they had changed from governments, properly so called, into mere machines for taxing the people, and for grinding the masses to the very dust; they had become intolerable. The people, driven to that point where reaction is sure to take place, began to demand of their masters redress. "Here ye are, Lords and Masters, Kings and Nobles, Governors and Directors. We have supported you in all luxury; we have submitted to your guidance, we have borne your burdens; we have stood between you and danger, ready at all times to sacrifice ourselves, by thousands, for your honor and glory; but what have ye done for us in return? We are dying. There is no longer living for us on this God's footstool. The most skilful industry, the most unremitted toil, cannot procure for us the means of subsistence. We starve by thousands, and our dead bodies lie along the streets, and our bones must bleach under the rains and dews of heaven. Lords and Masters, it was yours to have governed us, and to have governed us not for your pleasure, but for our good. Ye have not so governed us. We have been taught to believe in a God who is love and goodness. He has made no world where the millions must ever toil and sweat, and die to feed the vanity and luxury of the few. Away with the thought! Ye have neglected your duty; and the day is come for us to call you to an account."

But hereupon rose a very important controversy. The fact of the very general suffering of the millions was not denied, could not be; the fact also that the administrators of government were bound to administer the government for the good of the governed was also admitted in words; but, then, to whom were these administrators accountable?

"The powers that be," said their advocates, "are legitimate; are ordained of God; and therefore are and can be accountable to no human tribunal. To call them to an account is to call God himself to an account in the person of his representative."

Now, to resist legitimate authority, or, what is the same thing, an authority derived of God,—for all legitimate authority is ordained of God, and derived from God himself, as we shall hereafter see,—is to violate every man's sense of right, of duty, of obligation. The advocates of the people met the partisans of the constituted authorities on the question of the legitimacy of these authorities.

"We own," say they, "that we have no right to call the legitimate sovereign to an account; we own that we are obliged to obey the legitimate sovereign, whatever he commands. But these constituted authorities are not the sovereign; they are but ministries, agencies, holding power as a trust, to be exercised for certain purposes, and therefore can hold power lawfully no longer and no further than they devote it to the end for which they were entrusted with it."

"True. But they hold their power as a sacred trust from God, and they are accountable only to him for the manner in which they may exercise it."

"Not so. Kings and magistrates are the servants of the people, have been instituted by the people for the people's good, and when they fail to promote or to strive to promote that good, the people may call them to an account, judge them, depose them, or punish them in such manner as they shall deem proper."

One sees here with what thought the sovereignty of the people was asserted. The mass demanded a better social condition, felt that they had a right to labor to obtain a better social condition, and that they were hindered from obtaining a better social condition, by the negligence and tyranny of their rulers. They wished to be able legitimately to strive for this better condition, even against their rulers, and to call their rulers to an account for not aiding them, especially for throwing impediments in their way. What the friends of the people really wanted, then, was to establish the responsibility of power, not to God only, but, so to speak, to man also. The responsibility to God alone, in the actual state of things, since rulers had ceased to fear God, or to believe in his providence, was as good as no responsibility at all, and left to the millions, able to endure their oppressions no longer, no hope of redress. In this case there was no effectual remedy but in asserting the sovereignty of the people.

"But the people," say the advocates of power, "when

did they become sovereign,—they who have rarely exercised any political power, or constituted even an estate in the empire; they whom government is instituted to govern?"

"They were the original source of power. They were originally free and equal, and no man had a right to control them; but for their mutual protection and benefit, they chose to come together into civil society, and to institute civil government; to clothe some among them with authority, the rest promising obedience. From the compact formed by the people, and which constitutes and expresses the powers and the ends of the body politic, derives government with all its legitimate authority. The people have not then *become* sovereign, they always were sovereign, always were that to which the constituted authorities were accountable."

Here it is seen that the doctrine of social compact met precisely the doctrine it was desirable to overthrow, and established the authority of the people over their rulers, and their right to seek a redress of grievances, if need were, even against the constituted authorities, for they were paramount to those authorities.

The motive was good, but the friends of the people made one serious mistake; they demanded the *responsibility* of power, when they should have demanded the *limitation* of power. Power is not and cannot be responsible; for so far forth as responsible it is not power, but a trust. In making the governments responsible to the people, power was shifted, but not rendered responsible, for the power then vested in the people instead of the magistrate; but who was there to call the people to an account, should they chance to abuse their power? To whatsoever we render the administrators of government responsible, unless power be restricted, there is always the possibility of its being abused,—we may say, the certainty that tyranny, oppression, corruption, and political death, will sooner or later find their way into the state. Power has always a tendency to enlarge itself, and will always run into abuse, wherever it may be lodged, if not tied up so that it cannot. This is the fact that the advocates of the people, in demanding the responsibility of power, overlooked, and therefore failed to secure the end they had in view, for which they had so strenuously asserted the sovereignty of the people, and the origin of government in compact. Yet it was not the sovereignty of the people nor the doctrine of compact they

cared for, but some legitimate ground or opposition to the tory theory, and on which social amelioration, freedom and well-being, could be contended for and secured. This ground we, too, want, and will never consent to abandon; but we find it not where the friends of liberty and well-being in the two preceding centuries found it. Where we find it, will hereafter appear.

Furthermore, the advocates of the doctrine we have been considering seem to me to deceive themselves in believing that they themselves, in their own minds, place the origin of government in compact. They do no such thing. They always, consciously or unconsciously, assume the state as already existing, and possessing all the rights of sovereignty. When they speak of the people assembling in convention, they assuredly have in mind a particular people, that is to say, a particular nation, or the inhabitants of some particular or specified territory, with its bounds marked and determined. It is, after all, not a mass of individuals, taken at random, but this particular people, nation, already existing as a distinct, and, we may say, a sovereign community, that assembles in convention, and forms the compact. To talk of this people as having no government would be nonsense. It is a sovereignty, and has in itself, undoubtedly, the right to establish such a frame of government, and such a mode of administration as it may judge proper; but to say that this people meets together in convention, and by solemn compact creates civil society, or constitutes itself a body politic, is to say that it meets to make itself what it already is, and assumes itself to be. Evidently, then, as it can be really only of such or such a people that we can say it creates its government in convention assembled, the advocates of the origin of government in compact do virtually assign government some other origin. Even in their own view, would they analyze it, the sovereignty resides not so much in the compact as in territory, and, so to speak, nationality.

To illustrate my meaning, I will take the cases of Ireland and of Rhode Island. Ireland is the land of the Irish. I suppose the advocates of the origin of government in compact would agree with me, that the Irish have a right, if they choose, to be independent of England; and in case they should assert and maintain successfully their independence, would have a right to establish a frame of government for themselves. But are we not, in all this, speaking of the

Irish as a distinct race from the English, as a peculiar people, having in reality, though subjected to the foreigner, in its kindred blood, a *nationality* of its own? The Irish are a people, a community, and therefore it is that we can conceive of their right to form a social compact, and their ability to do it. If the Irish should gain their independence, and should call a convention to devise a frame of civil government suitable for them, should we not hold that England and other nations would have no right to be represented in it, and regard it as an outrage upon the Irish, if they should send delegates to it? Why? Simply because we think of the Irish as a distinct people, having the sovereign right to dispose of its own internal concerns. Now, shall we contend that a people of whom we can say this, is not already a civil society, a body politic? Whence did it become so? Not by compact; for that, by the very terms of the supposition, is not yet formed. Whence, then?

Take the case of Rhode Island. They were the people of *Rhode Island*, that had, according to the Suffrage party, the inherent right to come together in convention and frame and ordain a constitution. The advocates of the people's constitution asked as the necessary condition of giving legitimacy to that constitution, the formal assent of a majority of the white adult male population of *Rhode Island*. But what see we in all this? We see that it is assumed, prior to the formation of the constitution, and independent of the charter, that there is a veritable people of Rhode Island, having the right to institute a form of government which shall be supreme over all the inhabitants of the territory recognized under the charter as Rhode Island and Providence Plantations. The thought with which these suffrage men proceed, evidently is this: The majority of the inhabitants of a given territory have the right to determine what form of government shall prevail in that territory, and to what civil rule the whole number of its inhabitants shall be subjected. Now, suppose there never had been any civil or political Rhode Island; suppose that the inhabitants of the territory in question were in the alleged state of nature, and the suffrage men threw themselves really back on the people in their primary capacity, that is, as free, independent, sovereign individuals, who could in this case have spoken of the people of *Rhode Island?* Who could have said the individuals living within certain boundaries, form a distinct community, and the majority of these

have a right to govern the whole? In the case we suppose, why would not individuals living in Massachusetts or Connecticut have had the same right to be represented in the people's convention, as those who lived within the geographical limits of Rhode Island? But what makes Rhode Island in the supposed state of nature? Whence, in point of fact, does Rhode Island derive its existence? Evidently Rhode Island is in its civil polity, or in its territory. The suffrage men could not have admitted the first, for they assumed the existence of Rhode Island independent of the polity, if one may so speak. Of course, then, the sovereignty they recognized they must have regarded as an incident of territory; and so they were in fact basing their own proceedings on the very principle against which they were contending! They would supersede the existing government, because it made freemen of none but landholders; and they would give to territory the right of constituting a people, a body politic, a sovereign community. These remarks show that the conception of a people existing as a distinct, peculiar people, having in the similarity of its manners, customs, the identity of its origin and unity of its life, a nationality of its own, or inhabiting a specific territory, politically and geographically determined, is always presupposed by the advocates of the origin of government in compact, as the essential condition of the conception of the people's coming together in convention, to ordain a frame of government for their mutual convenience and benefit. The whole sum and substance of the doctrine, when reduced to its practical elements, is this: each nation has the right to institute and administer its own form of government, and the proper method is for it to assemble by delegates in convention, and draw up what shall be the fundamental law of the land, namely, the constitution. All this may be true. But let not this be called going back to the *origin* of government. This would give me the origin only of some particular form or mode of administering government, not of government itself. I am not told the origin of government till I am told whence this nation derives its national life, and its right to institute and administer government for itself.

We have lingered so long on the theory which derives government from a primitive pact, that we have little time and less space, to examine the other three theories we have enumerated. Yet we must not pass them over without a few remarks on each. We take them in the reverse order

from that in which they stand on our list. The *third* theory we have mentioned, is known as the PATRIARCHAL. Its advocates derive the state from the tribe, and the tribe from the family. The primitive government, the foundation of all government, is that which the father exercises over the child. This enlarged, the father of the family becomes the chief of the clan or tribe; from the chief of the tribe he becomes the king or the ruler of the nation; from this, it may be, again an emperor or ruler of many kings or nations. Whether the patriarchal was the earliest form of government or not, is a matter of some doubt, though we are inclined so to regard it; but whether so or not, is not material to our present purpose, for we are seeking not the origin of this or that form of government, but government itself. The authority of the father over his children is already government. Whence the origin and ground of this authority? Whence the *right* of the father to govern his children? And by what right does the authority of the father over his children, come to extend to those who, though his kindred, are not begotten of his body?

The authority of the father is founded, we are told, in natural law, and grows out of the necessity of the case. I understand very little of what men mean by *natural law*. Natural law for me, means either one of two things: 1. What I am naturally impelled, or driven by the impulses of my nature to seek; or 2. That which is founded in the original nature or order of things as God hath created and arranged them. In the first sense, a natural law must sometimes be resisted; my inclinations must be controlled, and my thoughts, feelings, passions, instincts, propensities, subordinated and subjected to the law of God under which I am placed. In this sense, to say that the authority of the father is founded in a law of nature, is not saying that it is therefore legitimate. To say that it is founded in the law of nature, in the second sense, is on the one hand begging the question by assuming the very point to be proved, and on the other, is resolving nature into the appointment of God, and therefore identifying the third or *patriarchal* theory with the first, or that of *divine right*. If we say the authority of the father grows out of the necessity of the case, then we originate government in necessity. Necessity to a Christian can mean only the will of God; for the ground of all things is not with Christians the invincible necessity of heathendom, but infinite freedom.

This again would leave us as the ground of the right of the father to govern his child, only the will of God. We apprehend that people would be wiser should they talk less about what is, or is not commanded by nature. Nature never yet furnished a uniform standard for any thing, nor commanded the same thing to any two individuals of any race. In no sense, then, in which the law of nature is distinguishable from a law of God, could even the fact that the authority of the father over the child originates in a law of nature, legitimate that authority. If, then, we could resolve all governments into the patriarchal, and deduce all authority from the parental, we should still have the same question to ask, and the same problems to solve in relation to the origin and ground of this parental authority, that we have in relation to the origin and ground of government in general.

But how from a man's right to govern his own children will you deduce his right to govern his wife, and those who are not his children? The conjugal relation has never been held to be one of perfect equality; the man is the head of the woman, the lord. He promises love, protection, fidelity; but the woman love, fidelity, *obedience*. Whence this obligation to obey on the part of the woman rather than on the part of the man? This assuredly is not deduced from that alleged law of nature, which commands the child to obey the parent. Whence then? Whence, again, the logic by which I am able, from my right to govern my child, to conclude to my right to govern another man's child, and not only the child, but the man himself? If my right of chieftainship grow out of my right as a father, why has not every father in the tribe the same right to be its chief? This question alone shows that it is impossible to deduce the state from the family. I do not regard the family as the germ of the state. It contains elements which are not in the state, and wants elements, without which the state could neither be constituted nor preserved. Both, in my view, are primary institutions, and neither is secondary; certainly neither is derivable from the other. Both are necessary, but they rest on different bases, and exist for widely different, though not hostile ends.

The other two theories on our list concerning the origin of government, namely, that of the Spontaneous Development of Nature, and that of Divine Ordination, rightly understood, are both in the main true and worthy to be ac-

cepted. Government does not originate in spontaneity alone, nor in the *outward* ordinance of God alone; but it must respond to man's nature, to an inherent and essential want of humanity, or there could be no reason for its existence; nay, it could have no hold on man, and therefore could not be at all; and it must have in it a divine element, and to some extent be an expression of the will of God, or it would have no legitimacy, no right to command,—no right to our allegiance, to our loyalty.

But, after all, there is no occasion to seek the *historical* origin of government. Most likely the historical origin of government is no longer ascertainable. The more we study into the past, the more do we discover there to impress us with a sense of our ignorance, and to confound our philosophies. There was a time when the learned had their snug little theories of the universe, according to which all questions were easily answerable and answered. A little study, and we were acquainted with all matters, and could judge of all events from the creation to the present. Indeed, saving one or two events, nothing prior to the eighteenth century had ever occurred worth troubling one's head about. But we begin to feel that the past was not all a blank. What most astonishes us is, the further back we go, the higher the antiquity to which we attain, the more perfect are the monuments we meet. Under the relation of art, the oldest of the pyramids is the most perfect. The oldest books extant contain the profoundest philosophy, and indicate the widest and most varied experience of life. Each generation, so to speak, seems to dilute the life of its predecessor. Nothing is new under the sun. The highest antiquity indicates a higher. We lose all dates and places, and no longer know where to begin, or where to leave off. Vain is it then for us to attempt to fix historically the origin of government. Historically speaking, government has no origin. Men, wherever we find them, live in society, and society without government has never been known, is not even conceivable. How did society originate? How did language originate? Yet language is essential to our conception of man, and therefore man, as soon as he existed, must have had language; so must society be regarded as coeval with the individual. Man out of society is a solecism; is not man. The true view to be taken is to regard government as never beginning, never ending, and considering its legitimacy as transmitted from generation to generation, and from place

to place, by a law analogous to that by which the life of the race itself is so transmitted.

But we leave the development of this thought, as well as the clear and distinct statement of the philosophical origin and ground of government, and the mode in which government should be organized, for a future communication.

ARTICLE II.

Without faith, we are told, it is impossible to please God. Aside from the theological doctrine, we may obtain from this fact a doctrine of very great importance, applicable at all times and to all subjects. Let me illustrate it. The church of Christ is made the depositary of the faith once delivered to the saints, and of that faith without which, according to the belief of the church, there is no salvation. Now the means the church will make use of, the discipline it will establish, the agencies it will employ, the arrangements it will adopt, for the salvation of sinners and their growth in sanctity, will all depend on the particular faith it embraces, or the special views it takes of the faith commttted to its charge. Corrupt or falsify its faith, and you vitiate its whole action. Suppose the church should believe that all rewards and punishments are limited to this life, and that all, as soon as they leave this world, enter into immediate, inconceivable, and unending bliss; it can readily be conceived, in this case, that her action, her efforts, and arrangements for the salvation of sinners, would be very different from what they would be were she to believe in future rewards and punishments. In the first case, all would be adapted to the simple end of enabling us to get through the world as quick and as easily as possible; in the second case, all would be adapted to the great end of making our calling and election sure.

We may see in this fact the reason why the church has always so strenously insisted on the necessity of maintaining "the form of sound words;" and this reason is not, as we sometimes imagine, because the mere belief of an error, by an individual whose disposition is meek, and whose aspirations are holy, would necessarily endanger his salvation, but because the adoption of an erroneous faith, *by the church itself*, would lead the church to neglect to use, or to institute and use, the proper and efficient means for the practical salvation of the ungodly.

Now the principle here recognized by the church, and

which both our religion and our philosophy bid us hold fast, is equally applicable and equally essential in the world of politics. I cannot agree that error is harmless, if reason be but left free to combat it; no error is or can be harmless, as no truth is or can be mischievous. Doubtless, however harmful error may be, we are never to attempt to suppress it by imposing any legal or civil disabilities on those who are its advocates. Every state should guaranty to every member of the community the largest freedom of thought and opinion, and never undertake by its own action to suppress what it holds to be false or dangerous opinions. The most successful way of suppressing error is unquestionably to leave her alone to grapple in open encounter with truth. But while we agree with our friends that free discussion is the best *remedy* for error of opinion, we must still hold that error of opinion is always harmful, even if we have the freest and fullest discussion. If erroneous opinions, in any nation, concerning the origin and constitution of government, become very general, the most fatal consequences will not fail to result; for the nation, through its errors, will be led to take a false view either of the end it must realize, or of the means by which it is to realize it. Its whole study and effort, in its public action, will always be to conform to the general faith or theory it adopts. In all the changes and modifications it introduces into its institutions and laws, in all the arrangements for the social life of the people it creates or adopts, it will be governed, to no inconsiderable extent, by this general faith or theory. If, then, this faith or theory be false or defective, these changes, modifications, arrangements, institutions, laws, instead of being favorable to the growth of virtue and well-being, must needs be the reverse, and tend directly to the total overthrow and ruin of the nation itself. Every nation struggles always to actualize in its national life, what we may call its faith or ideas. Of the very highest importance is it then that this faith be sound, that these ideas be just and true; for with a false faith, with false ideas, its life can be only death.

Here is wherefore we insist so strenuously upon correct political theories. In relation to government, we are always to distinguish three things: 1. Principles; 2. Measures; 3. Men. Between measures and the men who are to carry out or execute them, we in this country rarely fail to make the proper distinction. The question as to men is for the most part looked upon as subordinate, and he is held to be

the proper man to be supported, who will best and most ably support true measures of public policy. But between principles and measures we do not always make the proper distinction; nay, we often fail to distinguish between them at all; or if we do distinguish between them, it is only to sneer at the man who concerns himself with principles, and to allege that it matters not what principles one contends for, in case that he supports the right practical measures.

And yet this indifference to principles is neither wise nor safe, for mistakes as to principles will always sooner or later lead to the adoption of false or mischievous measures. Our own history affords us numerous examples of this. The declaration of independence by the congress of 1776, was a wise, just, and patriotic *measure*, deserving the warmest admiration and approval of every American citizen; but the *principles* laid down as self-evident truths in the preamble of the instrument by which the independence was declared, were not only not called for as the ground of the justification of the measure, but were, to say the least, of questionable soundness, and have led to the adoption by a large portion of our people, of theories practically incompatible with government itself, and every thing like social order. "We hold" say this heroic and true-hearted congress, "these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, *deriving their just powers from the consent of the governed;* and that, whenever any form of government becomes destructive of these ends, it is the right of the *people* to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

Now here is a questionable philosophy laid down as the basis of a measure, which stood firm enough without it. There were before the congress only two questions:—1. Have the colonies the right to assert their political independence of Great Britain? 2. Is it expedient for them to exercise this right at this time? To establish their right to assert their political independence, it was not necessary to go beyond the principle, that each people, or political community, has the inherent right to self-government; for this, as I have shown in my previous essay on the Origin and

Ground of Government, was all that was necessarily involved in the controversy with the mother country. The inhabitants of the colonies were never for a moment in rebellion against their own government, and, therefore, a principle to justify such rebellion was not needed. All then that the declaration says about the original equality of all men, their unalienable rights as individuals, the origin of government in the consent of the governed, and the right of the people, —*unless we understand by people, the state, community, or body politic*,—to alter or abolish government, &c., was uncalled for and out of place; so to speak, extra-judicial.

But of these truths, said to be self-evident, one only, in the plain and obvious sense of the terms, is even a truth at all. "*All men are created equal.*" This is not a self-evident truth. Mankind are created not equal, but unequal; unequal in their position, in their capacities, whether moral, intellectual, or physical. The only sense in which they are equal is that they were equally created, and are all equally human beings, members, though unequal members, of one and the same family, and alike morally accountable to one and the same divine Master. Nothing is or can be more false than to assume the equality of all men as the basis of government; we should rather assume the natural *inequality* of men as the ground of the necessity of government; and thus make it the duty of government to maintain that equality before the law which men do not hold before nature. Men "*are endowed by their Creator with certain unalienable rights; among these are life, liberty, and the pursuit of happiness.*" This again is not true, repeat we it over and over again ever so often. If it were true, government could never rightfully command the life of an individual, never, for any cause whatever, restrain his liberty, or throw any impediment in the way of his pursuing his own happiness according to his own judgment and pleasure. Grant this, and what government could stand twenty-four hours? Am I not bound, if my country calls, to rush to the frontier and make a rampart of my body for her protection? May not my country, that is, the government of my country, command my services even unto death in a war of self-defence, or in defence of liberty, of justice, of humanity? May not society, when necessary for her protection, take the life of the base wretch that would endanger her existence? May she not imprison, restrain the natural liberty of offenders? What mean we then by saying liberty is an "unalienable

right"? Does not every felon, in every civil society on earth, alienate *what is here called* his natural liberty? Furthermore, may government never interfere with the individual in "pursuit of happiness"? This individual affirms that he must pursue happiness by engaging in piracy, in the slave trade, or by taking to the highway; must government say that the pursuit of happiness is an unalienable right, and leave him to pursue it in his own way? This other individual chooses to pursue happiness by selling lottery tickets, by smuggling, by pandering to men's cupidity, or to their vices; may not government interrupt him? What is government for, if indeed it be not to restrain men and direct them in a path they would not go in but for government? In fact, there is no right that can be mentioned that may not be, that is not, at times and under certain circumstances, alienable, and alienable too without the consent of the individual it concerns; that is, there is no specified right that does not under certain circumstances cease to be a right.

Of this self-evident truth, that *governments derive their just powers from the consent of the governed*, I have heretofore spoken, and shown that if we admit it, we abandon all government; for government is not a mere agency, accountable to a principal, because the principal would be the government, and not the agency. "*Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it.*" In what sense is the word *people* used here? Does it mean the body politic, the people as a community; or the people regarded merely as individuals outside of civil society? If the first, it is unquestionably a truth, and the very truth it was necessary to assert, as the basis of the right of the colonies to declare themselves independent of Great Britain; but if the second, it was a principle not necessary to assert on that occasion, and a principle which we have seen is not true, but both false and mischievous. Mr. Jefferson, the author of the declaration, undoubtedly held to the origin of government in compact, and in consequence of this did not distinguish so clearly between the people in the one sense, and the people in the other, as he should have done when setting forth, as he here does, a fundamental doctrine on the origin and ground of government in general. He, to some extent, confounds the two senses one with the other, and in so doing has occasioned some fatal errors, which we his countrymen continue.

This same confusion runs through the minds of the great majority of our politicians, and it is almost impossible to make the mass of our citizens perceive any clear and intelligible distinction between the people as a political organism, and the people outside or independent of that organism. There can be no question that in this country, the supreme political power, that is, the political sovereign, is the people in convention assembled. But our politicians latterly, availing themselves of the ambiguity of the word *people* as used in the preamble of the declaration of independence, confound the people *legally convened*, that is to say, convened by virtue of a constituted, a competent authority, prescribing the time, place, and mode of assembling, with the people coming together without any act of authority convening them, a mere mass of isolated individuals, constituting not a *convention*, but a *caucus;* and they go even so far as to contend that the caucus, if it represent an equal or a larger number, is of equal or paramount authority to the convention. Hence the editor of the *Democratic Review* writes, in reply to me, "If that people"—the population of a given territory, or the numerical people,—"choose to come together, in their own way, *whether inside or outside of the existing forms of law*, and to alter the constitution, it is to their will and their act, that my loyalty is morally due, provided I am *bona fide* satisfied of the fact of the majority. By the truest and highest legitimacy of natural right, and the only 'divine right' we can know in political affairs, this new constitution subverts the old one, which is left behind like the cast-off skin of the serpent, or the moulted feathers of the bird."

This doctrine has unquestionably taken a strong hold of no small portion of the American people. And yet, though implied in the preamble to the declaration of independence, it is only recently that it has found its way into practical politics. The French minister, Genet, appears to have held it to be the fundamental principle of democracy, and to have resorted to it in his brief but insane attempt to overthrow the government of Washington; but I find scarcely a practical recognition of it by our own statesmen, till after the election of General Jackson to the presidency. General Jackson, by his gallant defence of New Orleans, and his successful opposition to the United States bank, as well as other important services, has written his name in bold and legible characters in the history of his country, where time

will not efface it. He needs no eulogium from me. All must always hold him to be a man of rare sagacity, of ardent patriotism, stern integrity, firm will, and great decision and energy in action; nevertheless, as a statesman, he has generally shown himself a man who is more intent on the most effectual means of disposing of the practical question before him, than on the possible prospective effects of adopting the principle involved in his manner of disposing of it. He has always proved himself one of those great men who have a strong contempt for mere formulas, and in this respect deserves the high praise Carlyle bestows on Cromwell, Mirabeau, and Napoleon. He appears in his administration, to have regarded the people as above the constitution and laws, and to have held that he secured the highest possible sanction for his acts, when he had secured the popular approbation, formally or informally expressed. In his view the president of the United States was not merely an executive officer, chosen under the constitution, simply to administer the government and execute the laws; but a popular tribune, the immediate representative of the people, chosen to speak and act directly in their name; bound to see that they received no evil from the acts of the legislature and the judiciary; and accountable to the people alone. In all this there was much to be commended as noble and heroic, and well adapted to command the love and gratitude of the people. It was assuming the attitude, on the one side, of a direct servant of the people, and, on the other, of their father; and the great mass of us did look up to him as children to a father; nay, and still follow him to his retirement with true filial affection. Nevertheless, the country before any man, however great, wise, noble, or heroic. This disregard of formulas, this readiness to assume responsibility which we so admired in him, and from which no little good in his case resulted, is yet not without danger to constitutional government.

The grand maxim of General Jackson in his administration, as I collect it from the history of that administration, was, "The people are sovereign; if I gain their sanction, it is enough." Was he not right in this? Is not this the fundamental maxim of democracy? Yes, if you rightly interpret and apply it. The people in this country, practically considered, are the political sovereign, and to them, and to them alone, every public officer is accountable. But it is, as we have seen, only the people *legally convened*, or

in authorized convention assembled; not to the people as a mass of individuals; the convention, not to the caucus. Now this fact, it has appeared to me, was not always borne in mind, and General Jackson and his friends did not always observe the distinction I have here pointed out, and for which I for one strenuously contend. Unquestionably —and we cannot repeat it too often—the will of the people is in this country the law to the public functionary, and cannot be too scrupulously consulted or obeyed. But the will of the people, binding on the public functionary, is not the will of the caucus, but of the convention, and *solemnly expressed through the constitution and laws made in conformity thereto.* Consequently, the only will of the people the public functionary, whether president or tide-waiter, can officially recognize, or appeal to as his authority for what he does, is this will constitutionally and legally expressed. If this be so, it is unjustifiable on the part of any public officer, executive, judicial, or legislative, to appeal officially to the informal popular will, collected merely from private conversation, the public press, and the political caucus. This may undoubtedly be consulted as consisting of so many facts, bearing on the expediency of this or that policy; but may never be appealed to as a ground of justification for measures otherwise unauthorized. General Jackson's administration was the first, I believe, to recognize officially this informal will, and to place the caucus as it were on the same footing with the convention. Since then, the tendency in this direction has been fearfully rapid, and it remains to be seen whether it is not too late to attempt to correct it.

In elevating the caucus to a level with the convention, a profound revolution in the principles of our government has been threatened, if not effected,—a revolution which, if finally sustained, will put an end to our republican form of government, and prove the destruction of every thing approaching individual freedom. But what is the proof that the caucus has been so elevated? I find it in the general tone of the government proceedings; I find it in the *publication* by the president, of the paper read to his cabinet giving his reasons for removing the government deposits from the bank of the United States; in the letter of the postmaster general to his deputy in New York concerning some illegal suppression of what were called incendiary publications, authorizing the deputy to appeal from the

law to public opinion for his justification; in the demand for a law of congress to suppress the transmission by mail of certain publications; and especially in the case of Michigan, where a caucus, a mere caucus, was held to be paramount to a legal convention, and was treated by the administration as competent to speak in the name of Michigan, and to bind her as a state. One hears the doctrine avowed on all hands, and I myself have been condemned, and my political orthodoxy questioned, for maintaining the opposite doctrine. I think I cannot be mistaken in saying that no small portion of our political friends, as well as Mr. Clay and a large portion of the Whig party, do hold that the will of the people, of the great mass of the population, however expressed, however collected, is, if ascertained, the supreme law of the land, and binding on the public functionary.

It is not without design that I have brought this subject forward again. It is a grave matter, and cannot with safety be hastily passed over. It is time that it was met, and met fairly and honestly, with reverence for great names and eminent services, and yet with freedom and firmness. Is the Democratic party the party of order, of law, and, *therefore*, of freedom and progress; or is democracy to be held, as its enemies have always asserted it to be, the synonyme of mobocracy, and the Democratic party the party of disorder, anarchy, license? This matter must be settled. There are many of us who glory in the democratic name, ready and willing to make any sacrifice for the advancement of the people, ardently attached to the Democratic party, and the firm supporters of all its leading measures; but at the same time we hold our government to be a CONSTITUTIONAL republic, and we believe that freedom and progress are attainable only through law and order. We believe in the sovereignty of the people, under God, when *legally* assembled in convention; we contend that the will of the people so convened, formally expressed, is the law to the representative, and the only law to which he is in his official conduct amenable. Show us the constitution and laws, and you show us the authentic will of the people, that we admit to be binding on us; which we cannot disregard without proving ourselves disloyal. Are we orthodox, or are we not? Are we members of the Democratic party, in good standing, in full fellowship; or are we under discipline? Let us have this matter settled. Must I, in order to be a

member in full of the Democratic party, maintain the absolute sovereignty of the popular will however expressed or collected; with Mr. Kendall, that a public officer may plead public sentiment in justification of his violation of the law; and as in the case of Michigan and Mr. Dorr's movements in Rhode Island, that the caucus is on the same footing with the convention?

I press this matter, because it is vital, fundamental. There is a broad line of demarcation between the doctrine for which I contend, and that which I oppose; and their respective advocates seem to me to be separated by an impassable gulf. I see not how there can be really any fellowship between the advocates of the one doctrine and the advocates of the other. The men who believe in constitutional government, and that it it is only through the constitution the popular will can speak authoritatively, can never consent to this loose radicalism, recently crept in among us, which disregards all forms, strikes down all constitutional barriers, and holds that whatever for the moment is popular must needs be legitimate. Let this matter then be understood I have placed the two doctrines in juxtaposition, and in contrast, that they may be both seen distinctly, and judged of. Error makes its way only on the wings of truth. Let each doctrine be seen for what it really is, and when so seen we have no fears. If the loose radicalism of which I speak is to be the democratic doctrine henceforth, the ranks of the democracy will be thinned not a little. But after all, I venture to deny, even in the name of the Democratic party, that democracy, in any good sense of the term, requires me to embrace the doctrine in question. Nay, notwithstanding appearances, I am certain that this is *not* the deliberate settled doctrine of the Democratic party. For a moment it and its chiefs may have been led to countenance it; but I have confidence in that party, and I am sure that when its attention is once drawn fairly and distinctly to the subject, and it is able to perceive it in its true light, its noble instincts, its innate love of truth and justice will lead it to spurn with indignation the mobocratic notions which have been put forth in its name, but without its real authority. Had I not full confidence in the Democratic party, in its general love of truth, and its sense of justice, I had not spoken thus freely and severely of the errors into which I feel that it has been for the moment betrayed. It was, however, necessary to

state these errors of doctrine, and the acts to which they have led, so that a general acquiescence in them should not hereafter be construed into an approval, and they come ultimately to be quoted as precedents.

But I must go further still, and in the name of the Democratic party, as well as in the name of good government, protest against another though kindred doctrine involved in the statement I have quoted from the *Democratic Review*. My purpose in this essay, agreeably to my promise in my last, is to ascertain and set forth the true origin and ground of the legitimacy of government; that is, to find the true, the legitimate sovereign, whom I am bound to obey, to whom my loyalty is due. The editor, in the extract I have made, answers my question. According to his answer, the sovereign is the numerical majority, and to the will, the act of the *bona fide* majority, "loyalty is morally due." The absolute right of the numerical majority to rule, to govern, cannot be more clearly, more explicitly stated. The origin and ground of government is, then, in the simple unqualified will of the majority. The majority not only must govern, but *ought* to govern; not only have the *power* to govern, but the inherent *right* to govern. The rule of the majority is not merely a rule adopted by the sovereign authority as a wise and convenient regulation for the administration of government; but the will of the majority is the sovereign authority itself, and that to which my "loyalty is *morally* due." This is a broad doctrine, and one I do not recollect to have ever seen so clearly and broadly stated by any other writer; nevertheless, it is the new theory which has sprung up within these last few years; acted upon by General Jackson, proclaimed by General Harrison in his inaugural address as president of the United States, assumed by Mr. Dorr and his friends in the case of the suffrage movement, by the governor of New Hampshire in his letter to the governor of Rhode Island, refusing to surrender Mr. Dorr, and implied in Governor Morton's and Ex-President Van Buren's letters to the committee of the great clam-bake, last Fall, at Medbury Grove.

But though within a few years this theory of the absolute right of the majority to govern has been thought by many to be the democratic theory, I demand when and upon what authority it came to be the democratic doctrine? Democracy, if we take the word strictly, according to its etymological sense, and its original historical application, means

the government that vests in and is administered by the common people, as distinguished from the aristocracy, or Eupatrids. The Greek *Demos* does not correspond to the American use of the word people; but very nearly to what we mean by the phrase *common* people; and the government of Athens was called a democracy, not because it was founded on the principle that the majority have the inherent and absolute right to govern, a principle not recognized at all by the Athenian democracy, but because it was in the hands, not exclusively of the Eupatrids, but of the inhabitants of the *Demes*, or wards, that is, of agriculturists, merchants, traders, artisans, and mariners. Taking the word in a more modern sense, as used in this country when applied to the form of the government, it implies that government vests in, and should be administered by, the *whole* people, rather than that it vests in, and should be administered by, the majority. None of the great writers on the origin of government, so far as I am informed, lay down this principle of the absolute right of the majority to govern; that is, according to the editor of the *Democratic Review*, to ordain the constitution; that is, again, to form what Locke and Rousseau call the social compact. Rousseau expressly denies the principle, and contends that "the law of the plurality of suffrages is itself conventional, and presupposes, at least at one time, unanimity."

Furthermore, we are now told that the rule of the majority is founded in natural right, that it subsists by the truest and highest legitimacy of natural right, and of the only "divine right we can know in political affairs." Is this so? I have studied democracy to little purpose, if it be not democratic to assert that one man is not born with the natural right to govern another. Men are by no means born equal, but one is not born, save through municipal regulation, naturally subject to the will of another. I have yet to find the man who has, in a political sense, the *natural* right to be my master. If no one man has naturally this right, how can two men united have it? Of any given three men two are the majority; any two men will, if the majority, have the inherent and absolute right to govern, have the natural, the divine right to govern the third. How can this be proved to be so? Have my two neighbors the absolute right to govern me? Whence do they obtain this right?

But, perhaps, it is not intended to assert the right of the majority to govern within so limited a sphere, but merely

the majority of a people, of a state, or political community. The principle intended to be laid down, we presume, is, that the majority of every political community have the right to determine and administer the government of the *whole* community. But whence the political community itself? "How does a people," in the language of Rousseau, "become a people?" The will of the majority of a people is the sovereign, but what is the authority that constitutes a people a people, or a political community? There must be an act, and an act of sovereignty, logically at least, prior to the will of the majority; consequently a sovereign prior to the sovereign! But let this pass; what, in the next place, is the foundation of this right of the majority to govern? Whence do a hundred men obtain the right to make their will prevail over the ninety and nine of their fellow men, who have a different will, and perhaps one both wiser and juster? Do not answer me by asserting that the majority have a natural, a divine right to rule, for it is of this I demand the proof. Nothing is admitted to be a natural right not naturally demonstrable. If man and civil society are conceivable without this right, then is not this a natural right, but at best a conventional right. If we assume prior to civil society a state of nature, then, assuredly, the right of the majority cannot be a natural right; for in that state no one man, no body of men, has any right to govern another. If we reject the fiction of a state of nature, and assume man as naturally social, as always existing in society, then, the right of the majority to govern can exist only as a positive right, as a mere regulation adopted by society itself.

Whence, again, we ask, the origin and foundation of this assumed right of the majority? Have the majority the right to govern because they are the strongest? This would identify right and might, and legitimate every government able to maintain itself. Every act of power, however oppressive, on this ground, would be right, just. This would lead us to a length somewhat beyond that which we democrats are generally willing to go, and somewhat beyond that which the boldest advocates of despotism have ever yet had the hardihood to assert.

Moreover, even admitting the right of the majority to govern, the rule is, in fact, impracticable. The consent of the majority was never yet obtained to any constitution ever adopted, or to any act of any legislation ever known. It is

nonsense to talk about majorities. There has never yet been a contrivance adopted by which we could collect any thing more for the will of the majority than the will of a small minority. In the first place, women, constituting one-half of the community, are altogether excluded; in the second place, all under a certain age are always debarred from the right to vote; in the third place, there is always, in the most exciting times, a large number of citizens that are quiescent and cannot be brought to the polls, or are kept from them through business, or sickness in themselves, their families, or friends; and in the fourth and last place, there is a large number, constituting in most commnnities even a majority, who either have no will of their own, or none they dare express.

Again, this right of the majority to govern strikes at the foundation of all morals, by rendering the distinction between right and wrong not fixed and eternal, but arbitrary and variable. If the majority have the right to govern, the minority are bound to obey. Nothing is better established than that the right to command involves the correlative duty of obedience. The one cannot exist without the other. The minority are bound then by the law of nature, and therefore by the law of God, to obey the majority. But majorities fluctuate; the minority of yesterday is the majority of to-day; and the majority of to-day will be the minority of to-morrow; consequently, what was wrong yesterday is right to day, and will be wrong again to-morrow. Is it in this nineteenth century, and in this Christian land, we are to be taught this doctrine, which would have revolted even a pagan Greek or Roman? We had thought that right, whether in religion, morals, or politics, was independent of the accidents of time and space, and not liable to be affected by the fact of its being supported by majorities or only by minorities. Right is right, eternally the same, whether all the world agree to own it or to disown it; wherefore, then, make it dependent on the will of majorities? Even Mr. Jefferson recognizes a standard of right, nay, a sovereign above the will of the majority; for he contends that the will of the majority can *rightfully* prevail only on condition that it is reasonable.

Nor is this all. The rule in question reduces the minority to absolute slavery. We who chance to be in the minority are completely disfranchised. We are wholly at the mercy of the majority. We hold our property, our wives,

our children, and our lives even, at their sovereign will and pleasure. If the majority take it into their heads to make a new and arbitrary division of property, however unjust, we shall not only be impotent to resist, but we shall not have even the right to complain. Conscience will be no shield. The authority of the absolute sovereign extends, and must needs extend to spiritual matters as well as to temporal. The creed the majority are pleased to impose, the minority must in all meekness receive; and the form of religious worship the majority are good enough to prescribe, the minority must make it a matter of conscience to observe. Whatever has been done under the most absolute monarchy or the most lawless aristocracy, may be reënacted, and *legitimately too*, under our purely democratic forms of government, if the rule I am controverting be once erected into a principle.

The doctrine that the majority have the inherent right to rule, not only destroys all solid ground for morality, not only destroys all possibility of freedom for minorities, but its effects, so far as it is believed and acted upon, are most disastrous, and cannot be too earnestly deprecated. It creates a multitude of demagogues, professing a world of love for the *dear* people, and lauding popular virtue and popular sovereignty, the better to fatten on popular ignorance and credulity; it makes public men lax in their morals; paves the way for gross bribery and corruption; generates a habit of appealing from truth and justice, wisdom and virtue, to the mere force of numbers, destroys all manliness of character, all independence of thought and action, and makes one weak and vacillating, a time-server and a coward. It perverts inquiry, and leads us to ask, when it concerns a candidate for office, not who is the most honest, the most capable, but who will command the most votes? and when it concerns a measure, not what is just, wise, necessary for the public good, but what measure can the majority be induced to support?

Already do we begin to feel the sad effects of this doctrine. Public virtue has become an empty name. Nothing is more rare than the statesman who will stand up for what he honestly believes to be right, when he must stand up alone. Go into your halls of legislation, and show the wisdom and justice of the policy you propose, so clearly as to flash general and instantaneous conviction; what then? Will it be adopted? We doubt whether our whole political

history affords one instance of the adoption of a measure merely on the ground of its justice, or of its rejection solely on the ground of the general conviction produced by the discussion of its injustice. The history of the proceedings of our legislative bodies is full of sadness, and makes one almost despair of his race. Even a good measure is rarely carried in a straightforward way, by fair and open means. Professing the greatest respect for, and confidence in, the people, few of us dare risk the success of what we honestly believe a good measure on its own merits; we intrigue and manœuvre to carry it, as much as if it were a piece of consummate villainy. A plain, honest, blunt-spoken man, who speaks always the plain honest truth, would be looked upon in the political world as a simpleton; all parties would regard him as a man not to be trusted, whose imprudence would ruin them. The whole study is to manœuvre so as to secure a majority of voices for our party, for our men, and for our measures, which are usually only such measures as we think will most likely place the majority on *our* side, and fill all offices with men of *our* party.

I confess that I grow heartily sick of this doctrine, that "the majority has the right to govern." It not only has the tendency I have stated, but what is worse, it declares this tendency legitimate. If the majority have the right to rule, then I should study to be always on the side of the majority. And yet, a true man finds it exceedingly difficult to reconcile himself to this. There is, if I mistake not, within every man who can lay the least claim to correct moral feeling, that which looks with contempt on the puny creature who makes the decision of the majority his rule of action. He who wants the firmness to stand up alone, like Socrates in face of the Thirty Tyrants, and demand that right be respected, that justice be done, is unfit to be called a statesman, aye, or even a man. A man has no business with what the majority think, will, say, do, or will approve, as a rule of action; if he will be a man, and maintain the rights and dignity of manhood, he will inquire only for what truth and justice, wisdom and virtue demand at his hands, and that he will do, whether left to stand alone, or followed by the crowd; whether held up as one whom the young must love and study to imitate, or sneered at as singular, branded as seditious, or crucified between two thieves as a blasphemer. He will dare be a man, dare be himself, and to speak and act according to his own honest convic-

tions of the law of God, as revealed to him in the word of the Highest. Professions of freedom, of love of liberty, of devotion to her cause, are mere wind, when there wants the power to live and to die in defence of truth and justice. A free government is mere mockery, a mere farce, where every man feels that he is bound to consult and conform to the will of an irresponsible majority. Free minds, free hearts, free souls, are the materials, and the only materials out of which free governments are constructed. And is he free in heart, mind, soul, or body, who feels himself bound to the triumphal car of the majority, to be dragged whithersoever its drivers please? Is he the man to speak out the lessons of truth and wisdom when most they are needed; to stand by the right when all have deserted it; and to plead for the wronged and down-trodden when all are dumb, *he* who holds that the will of the majority is that to which his loyalty is morally due? *

I am told, however, that this absolute right of the simple numerical majority to govern, is to be recognized only in forming the constitution, or drawing up what we may call the fundamental law or ground-law of the commonwealth; and that under this constitution, for the practical administration of government, and the enacting of special laws, another rule should be adopted—practical checks for restraining the ascendency of a temporary majority should be multiplied. But this assurance partakes more of the political theorist than of the practical statesman, and of the ardor of youth than the experience of age. It is too much like the man's undertaking to keep out the crows by shutting his park gates. If a simple majority are competent to alter the constitution at their pleasure, what avails the provision of the constitution that two-thirds are necessary to the passage of a given law? How easy would it be for the majority to overrule this provision, by altering the constitution itself. Say, for instance, the controversy between Catholics and Protestants should rage in this commonwealth of Massachusetts; men's minds become heated; their feelings enraged and embittered; and the Protestants, having a clear majority, resolve that no Catholic shall any longer be tolerated in the commonwealth; what shall prevent them from passing a law

* See the article on *Democracy, ante*, p. 1. I wish my democratic friends who accuse me of turning conservative would read the whole article here referred to; it will show them that I have from the first protested against this doctrine of the right of the majority to govern.

excluding all Catholics from the state? Suppose that to the passing of such a law the assent of two-thirds or three-fourths of the legislature be necessary; suppose, even, that both your executive and your judiciary have a veto upon it; still with the present perfection of the caucus system, nothing would be easier than to call a caucus of the people and incorporate into the constitution a clause proscribing for ever the Catholic form of faith and worship. Whenever the majority wanted a law that could not be obtained by existing constitutional provisions, all they would have to do, would be to call a convention and adjust the provisions of the constitution to their wishes. Constitutional checks and restraints are nugatory when a simple majority of the people are competent at any time to overrule them. I have not at this moment, where I write, access to the constitutions of the several states, but I cannot now call to mind a single state, in which the constitution is left alterable at the mere pleasure of the majority. The constitution of the Union is alterable only by the consent of three-fourths of the states, and a convention for altering it cannot be called without the assent of the legislatures of two-thirds of the states. In none of the states can a convention be called without the authority of the legislature, and I believe that there is not a single state, unless it be some of the new states, whose constitutions I have not examined, in which the simple majority of the legislature is at all times competent to call a convention. Our fathers all felt that the constitution, the ground-law of the commonwealth, should not be alterable at the pleasure of the majority, and they uniformly made the assent of more than a majority necessary. They, however, imposed the restraint for the most part, not in the final voting on the constitution, but in the preliminary steps necessary to the calling of a convention, or to the proposing of amendments to the constitution to be adopted. But, all these amount to nothing, and we are no longer tied up by these forms, by the necessity of getting a vote of two-thirds of the legislature, or of two successive legislatures, in order to get a convention, if this new doctrine which places the caucus on a par with the convention obtains, and a simple majority becomes able, at any moment, to alter the constitution.

But this is not all. The doctrine of the right of the majority to rule, at least to draw up and ordain the constitution, is not objectionable merely because it enables the

majority to alter the constitution at will, but because it has a subtle yet powerful influence in substituting the opinions, the wishes, and will of the majority for the time, *informally expressed*, for the will of the people formally and solemnly expressed in the constitution and laws. If the majority have, by the law of nature and the ordinance of God, the right to govern, the constitution is a mere form, and of no value any further than it serves as an index to the will of the majority. What we want is the real will of the majority. That will, however expressed, is the true, legitimate sovereign, and has, therefore, the right in all cases to prevail. The constitution becomes mere waste-paper. What is the use of appealing to the shadow when you have got the substance? Mr. Madison set the example, and this is the only avowed instance I find prior to General Jackson, of regarding the will of the majority, not constitutionally expressed, as paramount to the constitution itself. He held a United States bank to be unconstitutional, and on that ground had refused his assent to a bill chartering one. Subsequently, however, he signed the bill chartering the late bank of the United States. What was his justification? "A power repeatedly exercised by congress, and acquiesced in by the people, is to be taken as constitutional." This *dictum* virtually abolishes the constitution. If we lay the stress on the *acquiescence of the people*, it leaves the majority always free to pass any law the majority of the people will tolerate; which is precisely the case we should be in had we no constitution at all. If we lay the stress on *repeated*, then the *dictum* would make wrong by repetition become right; if on the repeated exercise of the power by *congress*, then it would give to the majority in congress the right to alter, amend, even to make the constitution, in opposition to the provisions of the constitution itself. Yet ever since the chartering of the bank of the United States, the tendency to regard the will of the majority. however expressed, as the real sovereign, has been developing itself more and more, and has at length virtually, to all practical purposes, set aside the constitution; and rightfully so, too, if the majority have the natural and inherent right to govern. No man who holds the doctrine we are controverting has any right to complain of the majority, however they may trample on the letter and the spirit of the constitution. Why is not the majority of to-day equal to the majority that formed the constitution? And why shall the majority

of yesterday have power to hamper and fetter the majority of to-day? It is easy to see where this doctrine leads. We have had practical demonstrations of its tendency in the support given by congress to the United States Bank, to internal improvements, to protective tariffs, and bills for distributing the proceeds of the public lands among the states, and in the instances already mentioned of Michigan and Rhode Island. Let it become the settled doctrine of the country, and it is fast becoming so, and our liberties are gone; constitutional freedom, constitutional government has proved a failure, an illusion; and nothing remains for us but absolute submission to the caprice of an irresponsible majority. Every act will be held to be constitutional that the legislature has the ability to pass and the administration the power to enforce; might will swallow up right, and we shall have a worse than oriental despotism; for the despotism of one man may be glutted with victims, that of the many never, but like the daughters of the horse-leech, will cry always, "Give, give."

I have dwelt the longer on this point, because I hold it of vital importance. Here is the rock on which we are likely to split. Our danger does not lie in the prevalence of aristocratic doctrines. Doubtless there is with us enough of aristocratic feeling, and of aristocratic practice; but no man knowingly advocates aristocratic doctrines. The aristocrat with us no longer seeks to gain his ends by making open war on the people and laboring to arrest the popular tendency; but by chiming in with the popular feeling and exaggerating the popular tendency. Satan, when he has an object to gain, always disguises himself as an angel of light; so your aristocrat comes to you, in these days and in this country, always disguised as an ultra-democrat. No man has so much confidence in the people: no man has so deep, so ardent a love for the hard-handed and sun-burnt-faced many; none so ready and willing to defer to the wishes, the opinions, the instincts, the will of the masses. He has no interest, no opinion, no will of his own; he is one of the people, and knows only one thing, to serve the people by merging his feelings, wishes, interests, and convictions in theirs. Find a man who so professes, and you find one you may set down to be Satan attempting to disguise himself as an angel of light. Every such man is at heart the enemy of democracy, the enemy of the people, and he defers to the people only

that he may use them for his own profit. The young, the ingenuous, the inexperienced, should be on their guard against these wolves in sheep's clothing, and not through their deceit be led to take up doctrines as democratic which cannot fail, if persisted in, one day to prove the total overthrow of democracy and civil freedom, and both public and private prosperity.

But it is a mistake to represent the right of the majority as a natural right, an ordinance of God. It is not a *natural* right, but a mere *civil* regulation. By the law of nature, the majority have no more right to govern than the minority. When the majority are said to have the natural right to govern, we are led to infer that it is only the minority that naturally need to be governed. The majority, in that it governs, governs only the minority. But the majority are as liable to be in the wrong as are the minority, and stand as much, and full as often, in need of being governed. Truth and justice are, in this world, oftener on the side of the minority than on the side of the majority; all progress is effected by the few in opposition to the many; the reformer treads always the wine-press alone, and of the people there are none with him. It is absurd then to pretend that the minority alone need governing. The rule of the majority is in no country universally adopted, but where it is adopted, it is adopted only as a wise and convenient regulation and within certain limits; and it is only within certain limits that it obtains, or ever has obtained with us. All constitutional governments are contrivances for restraining it, and for introducing other elements of power. Instead of lying at the bottom, ready to start up at any moment and throw off constitutional restraints, it is itself a creature of the constitution, and has validity only within the sphere assigned to it by the constitution. The sooner we learn this the better will it be for democracy and for the commonwealth. The true watchword and battle-cry for us is not, *The majority have the right to govern*, but, The Constitution *must govern.*

But it is time to leave these false theories concerning the origin and ground of government, and proceed to discuss the true theory. All power is of God, and in the last analysis, no government is legitimate that does not subsist by divine right. The notion that men do or can institute government, establish an authority which they themselves are bound to obey, to which they are bound to be loyal, we look

upon as a gross absurdity. No government of merely *human* origin is or can be legitimate. So much must be conceded in the outset to the advocates of the *jus divinum*. The error of the advocates of the divine right of civil government, is not in contending that no government not founded in divine right can be legitimate, but in claiming this divine right for particular administrations, ministries, or forms of government, which cannot plead it in their own behalf.

The theory of government which prevailed throughout Europe, though not without many dissentient voices, from the final settlement of the barbarians on the ruins of the Roman empire, till the revival of letters and the Protestant reformation, was that government existed by divine appointment. The real sovereign on earth, representative of divine sovereignty, the Sovereign of sovereigns, was the Christian church, a divine institution, through which God ruled spiritually, but really. The authority of the church was not the authority of the men composing the assembly of the faithful, but of the Holy Ghost; that is to say, of God himself, who dwelt in the church,—its continuous life and inspiration. Civil governments were held to be not *co*-ordinate governments with the ecclesiastical, but *sub*-ordinate. They were, properly speaking, the lieutenants of the church, or its vicegerents, acting in its place, by its authority, and responsible to it for the discharge of their trusts. Loyalty was in this case due to to the church, and only *obedience* to the civil government, and obedience only because enjoined by the church.

I confess that I have a strong predilection for this theory. It is the only theory of government which I am acquainted with, that can legitimate resistance to the civil ruler without legitimating rebellion, which is incompatible, as we have seen, with government itself. The church commands the individual to be in subjection to the powers that be, never permitting individual citizens or subjects on their own responsibility to resist the constituted authorities; but claims the right, when these authorities oppress their subjects, to absolve their subjects from their obligation to obey, and to authorize them even to resist, and by force of arms to depose the tyrant. This power was claimed and exercised by the Catholic Church, and always to the restricting of the power of the civil ruler, and to the enlarging of the liberty of the subject; and I confess that the triumph of

the civil government, and its supremacy as established by Protestantism, does not strike me as a progress, but, in fact, as a return towards the paganism of Greece and Rome. The church held as supreme, as the legitimate sovereign, there is always a legitimate authority to command us to obey or to resist the civil government.

But, in asserting all this, I am aware that I may appear to outrage the convictions and feelings of the great mass of my countrymen of all parties, sects, and schools; and yet, why so? Because we all feel that we should in this case only escape from the civil tyrant to come under the ecclesiastical tyrant. We hold that there is as much danger to be apprehended to liberty from the church as from civil government itself, and, in fact, more too. *We distrust the church.* But, wherefore? If we believed the church to be a divine institution, the real body of our Lord, the ground and pillar of the truth, the house of God, in which God's Spirit resides, and therefore, that it is by divine authority that it exists and acts, should we distrust it, believe it capable of tyrannizing? Can God be a tyrant? Of course not. Then this distrust of the church proves that *we do not believe the church, that we do not hold it to be a divine institution*, but a mere human institution. This, I suppose, is the secret of our hostility to ecclesiastical authority, and of our repugnance to the theory in question; but this is a hostility, a repugnance which I cannot share, because I believe the holy Catholic Church is a divine institution, and that Christ himself, who has the right to reign over all, is always with it and in it unto the end of the world.

But, as hostile as we may be to this theory, we do all really believe and contend for what is equally objectionable, though, doubtless, without being conscious of so doing. None amongst us, after all their talk about the right of the majority to govern, the sovereignty of the people, will maintain in general thesis, that the people or the majority can will no wrong, or that their *will ought to prevail when it is wrong.* They do recognize, then, a *somewhat* above the people, of which the popular will must partake, or to which it must conform, in order to be legitimate. This somewhat is the ideal, the right, the just, that and that only which we feel we ought to labor to actualize. It is to this, as to a touchstone, we bring governments and laws, the acts of the legislature, the decisions of the judiciary. It is the SOVEREIGN; and we feel that all governmental acts, not in con-

formity with it, are illegitimate, and all laws not enacted by it are null and void from the beginning. It is on this ground that men justify themselves in their resistance to the civil ruler. They say he has ceased to be just, his acts are unjust; tyrannical; and, *therefore*, he loses his legitimacy; ceases to have the right to command; and, therefore, again, to resist him is not to resist lawful government. "RESISTANCE TO TYRANTS IS OBEDIENCE TO GOD." Certainly; and in so saying, we recognize an authority above the civil magistrate, which we are bound to obey, even though it command us to resist the magistrate himself. Thus far we all say precisely what said and what says the churchman.

But has this *Higher* than the people, this sovereign of sovereigns, any outward visible embodiment? In other words, has he on earth a regular, formal, authorized interpreter of his will? If you say yes, you must make that interpreter either the state or the church. It cannot be the state, for it has the power to absolve us from our allegiance to the state, and to arm us against it. It must then be the church, as the Catholic in the middle ages contended. If you say no, that it has no authorized interpreter; how will you determine when you have a right to resist government and when you have not: when civil government is just, and therefore legitimate, or when not? Will you make the individual the judge and interpreter? You then raise the individual above government, and authorize him to sit, in his own right, in judgment on government, which is incompatible with government, subordination, or social order. This would be extreme individualism, which cannot coexist with government; because all government demands social coöperation, subordination, and subjection. What then is the interpreter, for interpreter there must be? It can only be what is called the public conscience, that is to say, the sense of right expressed in what we recognize as the highest and most sacred among us. And this, by whatever name it goes, is our church, our divine institution. This it is, whether it be called the pulpit, the press, the lyceum. So that we after all are obliged to come round to the fact we began by rejecting; and the only difference there is or can be between the view we condemn and the view we as a people accept, is the difference between a formal, regularly constituted church, able to trace its descent from the apostles, and to show that it speaks by divine authority, and an informal church, intangible, and at best only partially able

to demonstrate its legitimacy. In the first case we call it THE CHURCH; in the last we call it PUBLIC SENTIMENT; but in reality the exponents of it are in either case for the most part the same individuals. We have then in the case of enthroning public sentiment, all that we find objectionable in the supremacy of the church, without any of the advantages. But let this pass, upon which I have touched merely to show that, after all, the authentic belief of Christendom is, that government is founded in divine right, and its legitimacy is in its justice, and in its justice alone.

But we are not yet through with our difficulties. We have, it is true, found the origin and ground of government, and in the will of God, in what is called divine right; but we have by so doing answered our question only for the ideal, not as yet for the actual, the practical. The Lord, he is king; his will is sovereign; his word is law; but if there be no established medium through which his word speaks, no authorized interpreter of his will, having the right to speak to us in the name of the sovereign, and to enforce our obedience, we are practically as if we had no sovereign, and actually living in a state of anarchy. Who or what has the right to speak to us in the name of God, and to command us as his representative? How can civil governments, which must, from the nature of the case, be managed by men, be authorized to speak in the name of God, and have the right to our obedience on the ground that they are the authoritative interpreters of his will? The power or authority having the right to speak in the name of God, to represent the divine sovereignty in human affairs, though not itself sovereign, is what in mere politics we call the sovereign, because in fact it stands in the place of sovereign to the citizen or subject. Whence or what is this authority? This is really our most difficult question, for it is the practical question.

One class of politicians tell us that the people are the ideal sovereign, and that the practical sovereign, the government, or *ministry*, as I term it, is the power or authority having the right to speak imperatively in their name. These make the people ultimate; the will of the people the supreme law; and therefore contend that the practical contrivance called in modern political language the constitution, which it is essential to adopt, is merely a contrivance for collecting and rendering effective the will of the people. But these we now see are wrong; the people are not ultimate; are not sovereign in their own right; and have no power not derived from

God, the source of all power. Therefore the practical contrivance or constitution we want, is not a contrivance for collecting and rendering effective in human affairs the will of the people, as such, but the will of God.

Another class of politicians agree with us in our premises, admit that government is founded in divine right, and that it is the will of God, and not the will of the people, that should be collected and expressed by the constitution; but they contend that the people are in God's place, are his representative, their voice his voice, and therefore the constitution which does best collect and express the will of the people, will best and most authoritatively collect and express the will of God. This is the meaning of the axiom, *vox populi vox Dei.* So far as concerns the ideal, this obviates our objections to the theory that makes the people ultimate; it acknowledges the divine sovereignty, and claims for the people sovereignty not in their own right, but merely as commissioned by the sovereign to speak in his name; but *practically* it differs not at all from the doctrine of the absolute sovereignty of the people, for it in this case no more than in that admits of an appeal to aught beyond the people. To us it can matter nothing practically, whether you say the people are sovereign in their own right, or merely by divine appointment, if you make their sovereignty complete, and permit the subject no appeal from their decision. The representative is clothed with all the authority of the sovereign, and must therefore be received and obeyed as sovereign. So, practically on this theory as on the other, we should be bound to receive and obey whatever the people should teach and command.

Still, denying the absolute sovereignty of the people, denying also that the people are the representative of the divine sovereignty, and assuming that it is the divine will that is sovereign, and therefore to be collected and expressed by the constitution of the state, may we not say that it is nevertheless the people who must devise, establish, and maintain this constitution? Here is the real question before us. If we say that the people are sovereign in their own right, nothing is plainer or more certain than that we must concede them the full right to make all such arrangements as they please for giving practical effect to their will; but when we say God is sovereign, the matter grows more difficult. For, if we say that God, as absolute sovereign, without regard to human agency, institutes and sustains all the requisite

arrangements for giving practical effect to his will, we lay down a principle that declares every government *de facto* a government *de jure*, that clothes all governments, whatever their character, with divine authority, and leaves to the people, however oppressed or down-trodden, no right, no duty, but passive obedience; while, on the other hand, if we assume that the arrangements depend on the people, and that it is theirs to provide for the collection and expression in the state of the divine will, we make the sovereign dependent on the subject, which were to raise the subject over the sovereign, the creature over the creator. How solve the difficulty?

I have stated the difficulty in the strongest light possible, because I have no wish to disguise it, or to seem to solve a problem I am not, and that I feel I am not, able to solve. If I could count on my readers as firm believers in the Christian religion, I would pledge myself to solve the problem to their satisfaction; but as I cannot so count on them without some important reservations, I must leave, to their apprehension, at least, many difficulties unremoved. I am anxious, however, in alluding as I do to faith in the Christian religion in connection with civil government, that my readers should not misunderstand me. I frankly confess that I am unable in my own mind to settle down on a political theory that shall be equally acceptable to the Christian and the infidel. I can accept no theory of government that does not imply as its basis the truth of Christianity, and the truth of Christianity, not as a mere system of philosophy, but as a gracious scheme, devised by infinite love and mercy for the practical redemption and sanctification of mankind. At the bottom of all my thoughts on politics, ethics, art, philosophy, lies ever in my own mind, the Gospel of our Lord and Saviour Jesus Christ, and I see not, I cannot understand how it can possibly be otherwise with any consistent, straightforward-minded man, who honestly believes in Christ as the Son of God, the Redeemer and Sanctifier of men, through whom alone we have access to the Father. A Christian people must needs form the state on Christian principles, and administer it for Christian ends. It is therefore I hold, not to the union of church and state, but to the *unity* of church and state; or rather that it is the church that commissions the state, as Samuel the prophet anoints Saul in the name of the Lord to be king of Israel.

But while I believe and maintain all this, I do not hold

that within the bosom of the state itself, before the *civil law*, or political law even, any distinction should be made between those who believe and those who believe not. The civil government proper should be restricted in the sphere of its action, to those matters which immediately affect men in their purely human relations. The proper objects of civil government are outward deeds, affecting our relations one to another; and so far as these are concerned, all men should be held to be equal, and should have the same rights and duties, and be free from all liability to be questioned before the civil tribunal concerning their faith or want of faith. I would resist unto death the prescription of a creed or a form of worship by the state. The state has no call to meddle with these matters, and its sole right as its sole duty in regard to them is to leave and maintain them, so far as outward political and civil action is concerned, perfectly free to all. Nor do I stop here. While I maintain to the church of God the right to decide authoritatively on all matters of faith and practice, and therefore on all that relates to my duties as a citizen as well as a man, I yet contend in her own name, and by her own authority, that in bringing in the civil arm to enforce by physical pains and penalties obedience to the doctrines she teaches, or to the forms of worship she prescribes, she, so far forth as she does this, ceases to be the church of God, and follows not the spirit of Christ, but of antichrist. The church, properly speaking, never has, since its first organization, in a single instance so done. Individuals and civil governments claiming coördinate or paramount authority to the church, have at times so done, but the church itself, when it has spoken with its genuine voice, has uniformly declared, as it needs must, for the largest religious liberty. It adopts the maxim, Every thing after its kind. It claims the right to enforce its creed and discipline, but only by appeals to the conscience and the reason; that is, by moral appeals, for moral appeals are the only suitable appeals in the nature of things for the production of moral convictions. The only matters in relation to which physical coercion, properly so called, is lawful, are men's outward deeds, which, as we have said, immediately affect our purely human relations. I pray my readers to do me the justice to bear these remarks in mind, and not to accuse me of seeking to destroy the foundations of religious freedom. I go with heart and soul for religious liberty, but against religious license; for free inquiry into all subjects, though I am un-

able to call the dogmatism which denies the truth of religion by so sacred a name, as I am to call, by the holy name of freedom, the license to cut my neighbor's throat, or to pick his pocket.

But to return from this digression, into which I have run to escape misapprehension. On any hypothesis the problem before us is none of the easiest. We cannot solve it without going somewhat deeply into the abstrusest metaphysics. We must determine what is the true distinction between the church and the state; between man viewed generically and man viewed individually; between human agency and the divine sovereignty; and in the case of each determine where the one ends and the other begins. The question of the state obviously then is no isolated question. It runs into general metaphysics, and metaphysics run into theology, for metaphysics are nothing but the form we give to our religious faith; our theology determines our metaphysics, our ethics, and our politics. It is idle to attempt to separate the political question from the ethical, the metaphysical, or the theological; such a separation is possible only to the acute intellects that frame lyceum constitutions, and ordain that religion and politics shall not be introduced as topics of discussion. We assume, therefore, in seeking to solve the political problem, the data furnished by our theology, and the metaphysics which grow out of it, and assuming these data, we hope it is possible to attain to a tolerable solution, and one which will retain a sphere for human agency without sacrificing the divine sovereignty.

Let us understand what is the precise problem now before us. God is sovereign. This much is conceded. But his sovereignty must be practically embodied, or represented among men, or it would be to us as if it were not. This again is conceded. This representative in the highest and fullest sense is the city of God or the church. This too I take now for granted. This representative, so far as it concerns the outward actions of men, and their purely human relations, is what we call civil government. Now the constitution of civil government for representing or expressing the divine will, is it solely of divine appointment, or solely of human appointment? If solely of divine appointment, then God does all, provides for all, and we have nothing to do but passively submit to the government that is; if of human appointment solely, the divine will must be dependent on the human for the means and opportunity to manifest itself. Which is the true view?

Neither when taken exclusively. In the universe as it is, there is always room for the divine sovereignty and human agency; and any system of philosophy that sacrifices either to the other, is for that reason, if no other, false and mischievous. The philosophy that sacrifices the divine to the human, is atheism; that which sacrifices the human to the divine, is pantheism. True Christian philosophy is that alone which retains both terms, asserting in all its plenitude the divine sovereignty, and yet so as thereby not to impair the freedom of the will, or destroy the contingency of second causes. The reconciliation of the two terms is no doubt a difficult matter; but we must retain both, whether we are able to reconcile them or not. These two terms have been for the most part retained; but our politicians are not quite right in making the state the representative of the human will alone, and the church of the divine alone, thereby excluding human freedom entirely from the church, and religious principle from the state; thus raising up and contending for two separate and independent empires, which can coexist only in a state of mutual hostility. But human freedom must have its place in the church even, and the divine sovereignty must enter into the state, so that human liberty, which else were license, may become the *law* of liberty.

Now, if we study the universe and God's providence by the light of the profoundest Christian philosophy, we shall find that God creates and governs all, each *after its kind.* He does not make the ox the horse, nor demand of one what is fitted only to be the nature of the other; for that would be to deny all distinction between the ox and the horse. Now God has created the human kind, the genus MAN, distinct from all other genera, with which it never is and never can be in the nature of things confounded. The old schoolmen in their doctrine of *genera* and *species*, regard man as a species, belonging to the genus *animal*, which genus again was a species belonging to the genus *being;* but this was to confound the logical genera and species with the natural, and, as it has been said, time over and over again, to clothe with reality mere logical abstractions, which have no existence in nature; none out of the mind of the logician. Man is not an animal enlarged, or with the superaddition of certain faculties which the mere animal has not. Strip man of certain faculties, such as reason, conscience, &c., and he would not be a mere animal, for he

would not be at all. These qualities which are supposed to be essential to his existence merely as man, and which are regarded as distinguishing him from the brute, are not merely essential to his existence as man, but to his existence as a being. In other words, man is resolvable into no higher genus or idea. He is not an animal enlarged, but, at the least, an animal *transformed*. Nothing in him is precisely the same, however analagous it may appear with any thing discoverable in any other race,—a fact which it would be well to keep in mind when studying comparative physiology. We should never speak of the human *species*, but of the human *kind*, race, or genus.

But, while we reject the notion that man is a species of the genus animal, standing, as some of our naturalists ignorantly and *brutishly* place him, at the head of the class *Mammalia*, we are still to bear in mind that the genus Humanity, what we call human nature, is no logical abstraction, no mere general term, with nothing in the world of reality to respond to it, but a real existence, and in some sort an existence independent of individuals, though never *actually* separable from individuals. Humanity in this sense, that is, taken generically, possesses in itself certain attributes which constitute it what it is. This is only saying that humanity is humanity.

This granted, evidently God must govern humanity according to these essential attributes; in other words, according to the constitution with which he has created it. We may say, then, that God's power over humanity is *limited* by this constitution. Let no one be startled at this assertion. For after all, it is only simply saying that the same thing cannot both be and not be at the same time. Unquestionably God can do whatever does not imply in itself an absolute contradiction. When we say he governs humanity, we necessarily assume that humanity remains, as the subject governed. But humanity is all and entire in its nature, in those attributes which we call, whether properly or not, its constitution. Now, God, if he suffer humanity to remain, must suffer it to remain with this constitution unimpaired, and therefore govern humanity in accordance with it; for to govern contrary to it, would be to destroy humanity itself. The question, therefore, comes to this, "Shall humanity be preserved or not?" which again amounts to this, "Shall God govern, or shall he not?" The limitation of divine sovereignty for which I contend, then,

is at bottom really no limitation of divine power; for it does not imply that God cannot do whatever he will, but simply that he cannot do a thing without doing it; if he does it, he does it; that is to say, he cannot create and preserve such an order of existence as man without creating and preserving such an order of existence as man.

This settled, we may proceed a step further. Humanity in this generic sense, is causative, active, creative. This is affirmed in affirming that humanity is a reality. Our notion of reality is our notion of being or substance, or something that *is*. But our notion of something that *is*, that is to say, of being or substance, *is precisely our notion of cause, or causative force*, the VIS ACTIVA of Leibnitz,* which he distinguishes from the POTENTIA ACTIVA of the scholastics, as the principle is distinguished from the attribute, or as the Greeks distinguish the *entelecheia*, the principle of action, from *dynamis* or simple power, or capacity to act when excited to act by some foreign agent or stimulus. This is the grand contribution of modern science to general philosophy; and this resolution of the notion of being or substance into that of causative force, constitutes, under a metaphysical point of view, our principal advance on the ancients and the scholastics.

The full importance of this fact, that our notion of substance is the notion of causative force, has as yet hardly begun to be appreciated by our philosophers. Spinoza's pantheism, as well as that of his disciples at the present day in France, Germany, and this country, results from ignorance or neglect of this fact. Spinoza defined substance, with the Cartesians, to be that which demands nothing beyond itself in order to be conceived of; in which sense, evidently, there can be but one substance, that is, God; and, therefore, all existences which compose the universe are not really substantive existences, but merely forms of the existence of this one absolute substance. This not only involved pantheism in religion, but the denial of liberty in the state, and in morality, by destroying all causality in the universe but that of God himself. Man could not be free, could not act, could not be accountable, for he had no substantive existence. We are saved from this pantheistic vortex, where creation disappears and all morality is swallowed up, only

*Opera Leibn. Ed. Erdmann. 1840. Pars 1, p. 122. *De primæ philosophiæ emendatione et de notione substantiæ.*

by this fact, that the notion of substance is the notion of causative force; and, therefore, that whatever proves itself capable of producing effects must have a substantive existence.

Humanity being essentially causative force, that is, an *entelecheia*, God in governing it, since to govern it he must preserve it, must so govern as to preserve to it this character. If he should overrule or destroy in human nature this causative force, that is to say, the inherent principle of humanity to act, to cause, to produce, he would, as we have seen, destroy humanity itself. This granted, God can govern humanity only in accordance with, that is to say, by preserving intact, human activity, that is to say, *human freedom.* The only intelligible definition of freedom is the power to do. I am a causative force only so far as I have power to cause, or to do. Just so far as my power to cause, or to do, is restrained, is limited, is my being itself limited. If I am, as we have seen, causative force in my essence, evidently my being can be only commensurate with this force; and, therefore, I can exist, can be at all, only so far as this force remains, and this can remain only so far as I am free. The divine sovereignty is limited, then, in the government of humanity by human freedom, for humanity is all and entire in its freedom.

Here is a grand result; we settle here at once the old dispute about free agency. Men have asked, is my will free? am I free? Nonsense. This is not the question, but, am I? am I at all? For I am only so far forth as I am free. Man, we have seen, is active in his essence; he is in his nature an activity, and nothing but an activity. But I am active only in that action which has its cause and origin in me. If I perform it only through necessity, I perform it not at all, but it is performed by that force which necessitates me. So far as I am enslaved, deprived of power to act, I cease to be, am as it were annihilated. Absolute slavery, slavery extending to the whole being, were absolute death, total extinction of being. So long and so far as I exist at all, so long and so far I am free. The same may be affirmed of every substantive existence. God governs humanity, but governs in accordance with its freedom, and must if he governs at all. In subjecting man to the absolute sovereignty of God, we then provide for the highest possible freedom.

The error on this subject has grown out of the notion

that man, so far as governed, is *passive;* but, according to the doctrine we have established, man can never be the *passive* subject of any government, human or divine, for the best of all reasons, that he is essentially active, and his activity cannot be converted into passivity, for so far as it ceases to be activity, it ceases to be at all. This may throw light on many moral and theological questions, and one day will. It will teach theologians that in the process of regeneration the sinner is active and not passive; and it will explain not only why men sin, but why God, who cannot approve of sin and is all powerful, does not prevent men from sinning. It will, moreover, enable us to perceive why it is that there is no antagonism between government and liberty. All government, if it be government, retains the subject governed, and as that subject is free essentially, and exists and can exist no further than free, evidently government can be no infringement of freedom. The two are in themselves, not as commonly supposed, necessarily hostile, but reconcilable.

As man must be active wherever he is, and as he can be active no further than he is free, it follows that his agency must always count for somewhat in every practical arrangement adopted for the expression of the divine will. The will of God depends in some degree on me whether it shall be expressed in my life or not. It is in my power to sin, which is contrary to the will of God; so it is with the race. The practical constitution for expressing or representing the divine will, the divine sovereignty, must then be regarded as depending, up to a certain point, on human agency. Men cannot create or institute the sovereign, they cannot originate or commission government; but they can provide more or less wisely for the free, full, and authoritative expression of the divine will, the only legitimate sovereign. So in tracing the origin of government to divine right, we do not exclude all will and agency of man from the practical arrangements for the wise and just administration of government; that is, for giving the word of God free course in the state, that it may be glorified in universal political and social well-being.

Having arrived at this point, the question now comes up as to this practical arrangement. What is the legitimate end of government? And how shall we constitute the administration of government, so far as placed under human control, so as to secure this end? We have waded through the

metaphysics of the question, and are now prepared to answer the practical question; but there is not room to do so in the present article, and I must therefore ask my readers to indulge me for another month. In the meantime, I pray them to suspend as much as possible their judgments on certain points in this essay which must be not a little offensive to them; for notwithstanding all appearances, they will find me coming out strongly, and more strongly than they at present believe possible, in favor of popular government. I am for a government that will not only theoretically, but *practically*, secure to every man, regardless of his accidents, perfect equality with every other man *before the law*, and freedom from *all restraints* but those imposed by the *law of God;* and I think I find the foundation of such government not in theocracy alone, nor in democracy alone, but in the fusion of both into one uniform theocratico-democratic commonwealth, as I shall endeavor to show in my next and closing paper.

CONCLUDING ARTICLE.

In the present paper, which concludes my remarks on the principles and constitution of government, I propose to consider, and as far as my limits will permit, dispose of, the three following questions:

1. What is the legitimate end of government?
2. What should be the constitution of government?
3. What is the part of the people in constituting it?

According to the doctrine which I regard myself as having established in my last paper, that government is founded in divine right, the end of government, taken as a positive institution, or, as I have termed it, the Ministry, is not the collection and expression of the will of the people, but the will of God. In this I am happy to find myself agreeing with the eloquent and philosophic historian of the United States, who, in one of his publications, defines democracy to be "Eternal Justice ruling through the people." Eternal justice and the will of God, are evidently one and the same. Mr. Bancroft, therefore, in giving this definition, unquestionably felt, that it is the divine will, not the mere popular will, that has the right to prevail in human affairs; in which he denies the sovereignty of the people as such and admits it only so far forth as it represents the sovereignty of God.

But, if in this view I am happy to find myself agreeing with a democrat of such high authority with his party, as Mr. Bancroft, I am equally sorry to find myself dissenting from Mr. Calhoun, the master, in all that relates to the practical constitution and administration of government, I am proud to follow. Mr. Calhoun's theory of government, as I have learned it from the incomplete developments of it given in his published speeches and writings, is immeasurably superior to the common-place democracy, which obtains with us here at the North; for while this contents itself with merely collecting and expressing the sense of a bare majority, his aspires to unanimity,—to the collection and expression in the acts of government, as far as may be, of the sense of the *whole* people. This is much, but—if I may, with due deference to genius, ability, and experience, venture to say so—not all that is essential to wise and just government, as I shall have occasion to show, when I come to speak of the constitution of the ministry Mr. Calhoun originates government in human nature, in which he finds both its necessity and its ground. The necessity of government, that which demands government, and always will demand it, has unquestionably its seat in the permanent and indestructible nature of man; but how the government itself, the authority that is to meet this demand, to control human nature and its manifestations, can originate in this very nature itself, is what I am not able to understand, nor even to conceive. Mr. Calhoun, in what he has published, seems to me to have considered only the problem, How to constitute the ministry, or agents of authority, so as in the practical administration of public affairs, to secure the legitimate ends of government? But back of this lies the problem I have been trying to solve, namely, Whence derives government, however constituted, its authority, its right to impose the law? This problem he does not appear to have considered, with the care and attention its great practical importance demands. He appears to have trenched it, by assuming the sovereignty of the people, and providing merely, in practically constituting the government, for the sovereignty of the *whole* people, instead of the sovereignty of the majority. He regards the people, we are told in the biography of him, recently put forth by an intelligent and impartial friend, "as the rightful source of power: but he understands by *the people*, the people in political organization, the people as a body politic,—not the

people as an unorganized mass of individuals, existing in the imaginary "state of nature," of Locke and Rousseau; and this, in this country, where the government is already constituted, would be amply sufficient for all practical purposes if there were no danger of confounding the people in the one sense with the people in the other; if no questions of innovation, or virtual revolution, could ever come up to disturb the established order. But as this danger actually exists, as these questions do come up, and as false theories lead inevitably to mischievous practice, it is necessary to go behind the state, the political organization, and ask, Whence the authority that organizes the people into the state, and clothes them with the right to command? This question, as we have seen in the preceding essays, and as we are inclined to believe, Mr. Calhoun himself would admit, were he specially concerned with the problem here proposed, can be answered, only by rising from the sovereignty of the people to the sovereignty of God. Yet, so far as his views have been set forth, he evidently holds to the doctrine of the sovereignty of the people, only vesting this sovereignty in the *whole* people, instead of vesting it in merely the major part.

Assuming now, that government is founded in divine right, we may state its end to be the PREVALENCE OF THE WILL OF GOD,—"Eternal Justice,"—*in human affairs, both public and private.* But this, though philosophically and religiously true and just, is a little too vague for the practical statesman, and really presents nothing tangible to the mind. What *is* the will of God? What is the end in reference to which God himself governs mankind? The will of God, inasmuch as it is the will of infinite wisdom, must needs always contemplate some end. What is this end? This question leads to two others: 1. What is man? 2. What is man's destiny? And these two questions, duly considered, will lead to another, namely, 3. What are the conditions on which, and on which alone, man does or can fulfil his destiny?

Man is an idea: his destiny is to actualize himself in individuals; the conditions of this actualization are expressed in one word, COMMUNION,—communion with his kind, with nature, and with God; and the conditions of this communion are expressed also in one word, FREEDOM.

I pray my readers to be as indulgent as possible to this answer, and not too hastily pronounce it a fine specimen of

transcendental nonsense. However unmeaning it may be to them, it has meaning to me, and I know very well what I mean by it: but what phraseology, or whether any phraseology will suffice to communicate my meaning to their minds, I own, I am at some loss to determine. My politics are, to no inconsiderable extent, founded on the Platonic doctrine of ideas, and to all who are not acquainted with that doctrine, I must seem to be talking nonsense, when, in fact, I am talking very tolerable sense.

This Platonic doctrine of ideas, I have stated, to some extent, in several of my previous essays in this journal: nevertheless, I will try to state it again, and as briefly and as intelligibly as I can. The difficulty I find in stating it, does not arise from its intrinsic abstruseness, but from the shallow nominalism of the English and American philosophy, and the fact, that the word *idea* has, in modern times, come to be used in a sense wholly repugnant to the Platonic sense; and therefore inevitably misleads every reader, who is not more than ordinarily careful to catch the exact sense of what he reads. In ordinary discourse, people, in these days, mean by the word idea, the *view* which the mind takes, or the *notion* it forms, of some object of mental apprehension; the greater part of the metaphysicians of the transcendental or non-sensist school, mean by *idea*, a certain inward type, model, or exemplar, of external and spiritual realities, instamped by the Creator on the soul of man, made a part of its original garniture or patrimony, and therefore said to be *innate*, that is, born with it. *Neither of these is the Platonic sense of the word.* The Platonic sense, which I hold to be the true sense, places ideas out of the human mind, in the divine mind, nous, or logos; and instead of holding them to be the patrimony of the human mind, makes them all simply objects which the human mind perceives. *Ideas are the genera of things:* active, puissant, creative; and therefore, must exist as substances, not as mere phenomena, as we have demonstrated in demonstrating the identity of the notion of substance with that of cause, or causative force. They are real existences, as contended Guillaume de Champeaux and the realists; not mere conceptions in the mind of the logician, as contended Abelard, and the conceptualists; much less empty words, (*flatus vocis*) as maintained Rosceline and the nominalists.

Humanity, that is, man taken generically, in a universal sense, as distinguished from individual men and women, as

I showed in my last essay, exists ideally: that is, as an IDEA, in the sense here defined. But without attending to this qualification, the assertion, that man exists ideally, that he is an idea, would either convey no meaning to the mind of the reader, or else a meaning the very opposite of the one I intend. By a strange misnomer, we call that system of philosophy, which, like Berkeley's and Kant's, denies the material world, and admits the existence of only mental conceptions, *Idealism*, the sacred name of all sound philosophy. We should rather call this false philosophy *Ideism*, and regard it, not as identical with idealism, but as standing wholly opposed to it. The ideal is, in the Platonic sense, and in fact, objective, not subjective. In calling humanity an idea, we assert that it exists objectively, though ideally.

By recurring to our Chapters on Synthetic Philosophy,* —which contain more than our readers, who turn up their noses at them, suspect,—the reader will find that we have demonstrated the substantiality of whatever is objective. Humanity, inasmuch as it exists objectively, is a substance. The idea, being the genus, we here in this fact demonstrate *the substantive existence of all genera.* An immense fact, which must, as soon as comprehended, revolutionize all modern philosophy! Here is what Plato has done, and what he teaches, in his world-famous theory of ideas, though by no means all that he teaches in that theory. What I have said is but the key, that unlocks to the incalculable treasures of the theory itself.

Taking this explanation of the theory of ideas, as sufficient for my present purpose, and assuming man to be an idea, I proceed at once to answer my second question; What is man's destiny? Humanity, we have seen, is an idea. It is, then, a substance. If a substance, then it is causative force, or, more simply, a *cause.* The destiny of a cause must be to cause, of an actor to act, of a creator to create. The destiny of humanity is, then, in one word, to cause, to act, or to create.

But if the destiny of humanity is to act, to create, what are its acts, or its creations? Humanity, in the sense we are now considering it, is the genus, or man taken generically. The act, in this sense, is expressed by the word *generation.* The acts or creations of man, taken ideally, are in simple terms, individuals. Individual men and women are the

*Brownson's Works, Vol. I., pp. 58, *et seq.*

deeds of humanity, and are to generic man, what our acts or deeds are to us as individuals. I find this same doctrine set forth by M. Cousin, in his valuable and learned work on the Scholastic Philosophy. "Let us," says M. Cousin, in showing the fallacy of Abelard's argumentation against the realism of William de Champeaux, "Let us take the most obvious example, the one nearest at hand, to wit, ourselves. This I, one and identical, which we ourselves are, is essentially all and entire in each one of its manifestations. It is essentially and integrally, the same I or me, that reasons, that remembers, that wills, that thinks, &c. Common sense says it, consciousness affirms it; the I changes not, is not impaired, diminished, nor enlarged in the diversity and mobility of its manifestations; none of them exhausts it, and none of them is absolutely adequate to its essence; it takes no form to preserve it always, and in all its developments, for it is *essentially* distinct from its acts, and even from each one of its faculties, (?) although never separated from them. *Humanity* (*le genre humain*) *sustains the same relation to the individuals that compose it.* They do not constitute it; on the contrary, it is it, which constitutes them. Humanity is essentially, and all and entire, and at the same time, in each one of us, as we are essentially, integrally, and simultaneously, in each one of our different acts, and of our different faculties. Humanity exists only in individuals, and by individuals; but in return, individuals exist, collect and form a kind (*un genre*) only by the unity of humanity, which is in each one of them.*

As it is the destiny of the individual to act, that is to live, so is it the destiny of humanity to act; and as its acts are individuals, I have answered truly, when I have answered, that it is the destiny of man—humanity—to actualize himself in individuals. Procreation is an act, not of man taken individually, but of man taken universally, that is, generically.

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*Fragmens Philosophiques, par Victor Cousin. Philosophie Scholastique. 2d edition. Paris: 1840. pp. 188–189. I do not accept the whole doctrine of this extract. I have introduced the passage because it is full on the point for which I quote it; namely, that the relation of the individual to humanity, is strictly analogous to the relation of one of our acts to us. But I do not agree with M. Cousin, when he speaks of individuals *composing* the race; a form of expression unauthorized by the doctrine of the passage itself; nor do I agree, that the individual is all and entire (*tout entier*) in each one of his acts; nor that humanity is all and entire in each individual, as I shall have occasion soon to show.

The answer to our *third* question now becomes easy. The destiny of humanity is to act; and its *power to act*, I have, in my last essay, demonstrated to be identical with its *freedom*. The power to act, is only another form of saying, freedom to act; for where I have not the power to act, I am not free to act; and where I am free to act, I have the power to act. The condition on which, and which alone, humanity can fulfil its destiny is, then, as I have said, FREEDOM.

But, as the acts of humanity, generically considered, are individual men and women, it follows that freedom for it to fulfil its destiny, is freedom to obey the command, to "multiply and replenish the earth." Whatever restrains humanity in this, whatever renders the Malthusian doctrine necessary, opposes the destiny of humanity, and is by that fact condemned as repugnant, not only to humanity, but to the will of God. The highest good of humanity must be to fulfil its destiny, that is to actualize itself in the greatest number and variety possible of individual men and women. It is glorified in each new-born child, and (*cæteris paribus*) the greater the number of children, the greater its glory. This is what every one feels on reading the Old Testament; and this explains why, among the chosen people of God, nothing was accounted so dishonorable as barrenness, and nothing so much to be deplored as to be childless. It also shows, that the answer of Napoleon to the idle question of Madame de Stael,—"Sire, whom do you consider the greatest woman in your empire?"—"She who has borne the most children,"—was profoundly significant, and profoundly true.

This may, in substance, be easily demonstrated. The destiny of the individual is to live; to live is to manifest one's self in action, that is, simply to act. The more one acts, the more he lives; the more fully he manifests himself; for no one act reveals the whole man, and there is no one act, into which a man enters with his whole being, and exhausts himself. The individual can fulfil his destiny only by the greatest possible activity, by freedom to manifest himself in the greatest possible number and variety of acts. Each act represents the individual, not as M. Cousin would seem to teach, all entire,—though each act represents him in all his essential elements,—but a distinct phasis of his being; consequently, the greater the number and variety of his acts, the more fully will his being be represented, or actualized; and just in proportion as you hinder the individual's activ-

ity, do you cut him off from manifesting himself, and, therefore, from fulfilling his destiny.

Now, the relation between the individual and the race, is precisely the relation between one of my acts and me; that is to say, the relation of the effect to the cause. Individual men and women do not *make up* humanity, but they are its creations,—the acts in which it manifests itself. This premised, it follows that humanity, in order to be able to attain to its highest manifestations, must have the greatest freedom to act in the production of individuals. No one individual represents all humanity, but each individual represents humanity,—human nature if you will—only under a special aspect; is the manifestation of only a special phasis of its essential power. The greater the number of individuals, the more complete, then, the actualization of humanity, and the more complete the fulfilment of its destiny. For whatever imposes a check on population, cutting off humanity from producing any given individual, must prevent it from manifesting a given aspect of itself. Evidently, then, Malthus is wrong and hostile to humanity; or God has created a world, in which the race finds evil in proportion as it fulfils its destiny; which would be to declare the Creator not good, but evil; unless, like Satan, we choose to say, that evil is good.

But the relation between the individual and the race, is not exhausted by this statement. The relation between the cause and effect, is permanent, indestructible. The race is not separated from the individual the instant the child is born. The birth of the child is the beginning, not the completion, of the act. Humanity must represent a distinct phasis of its own essence, in each separate individual; but it does not do this, it only *begins* to do this, in the newly generated child; it completes it only in the life,—the activity and growth,—of the individual. I touch here upon an immense fact. I live by acting, *and in my acts.* This living in my acts, that is, the continued connection between me and my acts, is the fact we express by the word *memory.* Destroy this connection, destroy, in all senses, all memory of my past acting, and I should be precisely where I was, when I began to act. I am dead to all that I have *absolutely* forgotten. The same need, then, that I had originally to act, I have to *continue* my act. The same need, the same necessity, that humanity originally had to act, that is, to put itself forth in an individual, it has eternally to preserve that indi-

vidual, and to continue its manifestation in him. This, if duly comprehended, will be found to be an unanswerable demonstration of the immortality of the *individual*, as I hope some day to show But leaving this by the way; humanity, I may add, lives only in producing individuals, *and in their life*. In order then to provide for the fulfilment of the destiny of man, we must provide, not only for the simple production of individuals, but for the life of each individual produced; that is, we must study to enable each individual man, born into the world, to fulfil, in the completest manner possible, his destiny as an individual man.

But an individual is an individual, only so far as he represents humanity, under a distinct and peculiar aspect, represented by no other. His destiny is to represent this distinct and peculiar phasis of human nature. Hence, if by our social arrangements, we prevent this individual from preserving, and, so to speak, acting out his individuality, we not only prevent him from fulfilling his own individual destiny, but humanity herself from actualizing that aspect of her being, which it was the mission of this individual, in his life, to actualize. This brings us to another conclusion: As we have just shown that the race must be free in order to fulfil its destiny, we now see that the individual must also be free, as the condition of the freedom of the race; for it is only in the life of the individual, that the race itself can live. Hence the necessity of INDIVIDUAL FREEDOM.

If you deprive the child of the means necessary to preserve its life, or to secure its physical, intellectual, and moral growth, of any of the care, means, or influences, necessary to enable it to rise to the full stature of man, in the full sense of the term, you are guilty of a double wrong,—a wrong to the individual, and a wrong to humanity. The purpose of humanity in his production is frustrated; and, if we take enlarged views of the *solidarity* of the race, all individual men and women are thereby injured. When you tell me I shall not act out myself, what is it you tell me? You say to me, "you shall not be you, but me!" You say also to humanity, that she shall not manifest that aspect of human nature, which it is my mission to represent. This is what every government practically says, whenever it attempts to restrict any individual in his communion with his brethren, with nature, or with God; determining what shall be his profession or pursuit, the amount of property he shall hold, the creed, moral, religious, or political, he shall believe,

the dress he shall wear, or the forms of worship he shall observe. It then makes me not me, but another; commands that I see with the eyes of another, understand with his intellect, and love with his heart. The state that attempts this, seeks to destroy all individuality, and, as far as possible, reduces humanity, whose life is in the number and variety of its manifestations, to simply *one form of manifestation;* so that millions of individuals shall give us no more of humanity, than we should have with only one.

There is no government on earth, that secures, to the full extent, this two-fold freedom. In almost every country, is humanity wofully restricted in the first form of the freedom we have pointed out. The mass of families must, throughout Christendom, look upon the birth of a new member, which should be a joyful event, as at best a half-calamity, as adding to their burdens already too grievous to be borne; and, if we look closely into the matter, we shall see that no small portion of the suffering, which the philanthropist deplores, and of the licentiousness and crime against which the moralist declaims, and the statesman in vain hurls his edicts, is attributable to the obstacles, which the constitution of modern societies, the mode of living, the expenses of sustaining an establishment, oppose to the proper discharge of parental functions. No woman, who cannot sustain the maternal relation, under circumstances favorable to her offspring, can regard her existence as blessed, or as having realized its legitimate end. Marriage is the best preservative against licentiousness; and the love and care of our children double our activity, and usefulness. Woe to the land, where the difficulty of obtaining the means to support and bring up a family, induces to celibacy, or makes it prudent to delay marriage till the parties are advanced in life. Habits are engendered, tastes are imbibed, a laxity of moral principle, an unchastity of soul, as well as of body, is produced, that marriage, under the most favorable auspices, will not be able to overcome. Love, which should be the sweetener of life, a sunbeam along our pathway from earth to heaven, is exchanged for lust, and the birth of a child, instead of being the mother's glory, becomes her shame,—her curse.

Man enjoys the freedom of which I speak, whether regarded as the freedom of the race, or of the individual, only where the communion with other men, with nature, and with God, is left open. Freedom to commune with other

men, is what we call SOCIAL FREEDOM; and is cut off by whatever social organization creates distinctions of castes, whether founded on difference of nation, of birth, of property, of manners, or of education. It will be secured only by the abolition of all castes or privileged orders, and by universal education,—meaning by the term general moral and intellectual culture, and, what was once expressed by the term, now obsolete with us, GOOD BREEDING. Communion with nature is expressed by the word PROPERTY, and is secured only by securing to all men the freedom of industry; by which I understand, not only what is called freedom of trade, but FREEDOM OF LABOR. The right to labor, that is, to such an organization of industry, as shall enable every man to obtain his living, and discharge his duties as a husband and a father, by means of his labor, is every man's inalienable right, if any specific right may be so termed. Communion with God is secured, so far as the state is concerned, by FREEDOM OF WORSHIP; by which I understand the entire independence of the church on the state,—its absolute exemption from all civil control.

Passing over details, which belong to the practical moralist and statesman, rather than to the speculative or theoretical, I may sum up what I have said, by saying, that the freedom which the human race demands, as the condition of fulfilling its destiny, is full freedom—*not license*—to actualize itself in individuals. And full freedom—not license—for each individual born to the race, to live, to grow up, to be himself, to act out, in his entire life, his own individuality. Translated into plainer and less abstract terms, this will make it the *end* of government to provide for the greatest possible increase of population, and the greatest possible freedom and well-being of each individual. In strict reference to this end, government must be constituted, and administered. Government then, rightly constituted and administered, is not the antagonist of freedom. We want government, not to limit our freedom, but to guaranty it. We want it, because we cannot have freedom without it. Here, then, we have a standard by which government itself, that is, as a positive institution, as the ministry, may be tried. Every ministry, or governmental institution, that in the least infringes the freedom of which I speak, in either of the senses in which I have described it,—for one is essential to the other, and both are essential to the life of the race,—or that fails to maintain this freedom in the fullest

sense of the term, compatible with the present stage of human and providential progress, is not, and cannot be, held by any friend of man, or of men, to be the legitimate representative of the will of God. The will of God is, that man and men should *be;* but neither *is*, or can *be*, except in so far as free; for existence itself is, as we have shown, all and entire in freedom. The curse of tyranny is, that it superinduces the death of the subject, and to the full extent that it is tyranny. Its essence is, in saying to the race, "you shall not live in the life of individuals,"—to the individual, "you shall not be you, but me." Every form of government, that says this, be it in but the faintest whisper, and to whomsoever it may, is by this fact alone proved to be no legitimate government, to be a usurpation, to be not of God, but of the devil.

It will, doubtless, be observed by my democratic friends, that, in stating the end of government, I have not once introduced the word EQUALITY. I have studiously avoided the use of this term, because, when it is used to designate the end we are to aim at, it implies a false and mischievous theory. In speaking of the means of attaining the end, or of the constitution of government, I shall find a place for equality. Here I find no place for it, because society is not an aggregation, or assemblage of individuals. Why, does the reader suppose, I have gone into the long and metaphysical discussion about humanity as an idea, if society, in my view, be nothing but an assemblage of individuals? It had been taxing my reader's patience, and my own, to no purpose. I have done this for the purpose of carrying the mind up to the unity of all individuals in the race, and establishing this important fact, that what we term human society, is not a mere *association of equals*, *but a* LIVING ORGANISM. In what I have said of humanity, it must be perceived that I have not been speaking of the great collective family of man, but of the *generative principle* of men. This is essentially one and identical in all men, and is to the great body of individual men and women, under the relation I now consider it, what the principle of vitality, or vital force, is to the human body. It is the one vital force active in all, the life-current that flows through all individuals, making them all *members* of one living body. It is to establish this fact, that I have insisted on the Platonic doctrine of ideas, and attempted to demonstrate man's existence as an idea or as the *genus*, to speak the language of science.

Now, having established that society is an organism, and that all individuals are members of one body, which has one vital principle, and a common centre of life, it must follow from the analogy of the human body, that each individual member has his *special function*, which can no more be the function of another, than the function of the eye can be that of the ear; or, the function of the liver can be that of the heart. What is essential to the life and growth of the whole is, that each member be preserved in his sound and healthy state, so as to be able to perform, without obstruction, his special function. The doctrine of equality, as it must inevitably be understood, is directly in the teeth of the doctrine I here contend for. It implies that society is an assemblage of individuals, that each, so to speak, is an independency in himself, and that the function of one may be as appropriately the function of this individual as of that. The eye may perform the office of the ear, the hand of the foot, the foot of the head, or the body of the mind. It is this radical falsehood, that vitiates the speculation of many of our democratic theorists on government. They have no conception of society as an organism,—no conception of the unity of humanity, as the generative principle of individuals. Hence, they lose sight of the diversity of individual function, and try to compress all individuals into one, with one and the same individual, and social, function. It is to resist these, and in the origin, that I have brought out my Platonism, and sought to establish the *unity* of the race, and *diversity* of individual function. The only sense in which we can use the word equality, when applied to the members of the social organism, is that each member has an equal right to be enabled, by the laws, to perform his appropriate function. The head has as much right to be the head, as the foot has to be the foot, and the hand as much right to be the hand, as the eye has to be the eye. There is a diversity of gifts and callings; each, however, in its place, in reference to its special end, as I have elsewhere said, is alike necessary, alike honorable, alike noble. Here is the doctrine I have sought to establish. In this view of the case, the end of government is not to maintain equality between all individuals, but to maintain equality for each individual, the freedom to perform his special function, whatever it be, as a member of the whole.

Having determined the end for which government exists, we are now prepared to pass to our second question; namely,

What should be the constitution of government? The practical end of government is freedom, or *provision for the freest and fullest manifestation of humanity in the life of individuals.* The problem now before us is, How to constitute the ministry, or agents of authority, so as to secure this end? This, if I understand it, is Mr. Calhoun's problem, and, I have little to add to the solution which he has given.

In general terms, I may answer to this question, that, probably, no one method of constituting the government, is worthy of universal adoption. The method, that answers for one country, will not always, if ever, answer for another and a different country. Each different country will require a different modification of the constitution, so as to adapt it to its peculiar circumstances, whether of genius, of pursuit, of soil, or of geographical position. What this special modification should be, it is the province of the practical statesman to determine. Any modification, any method of constituting the ministry, is legitimate, sacred, that secures the end we have designated. In what follows, I shall consider only the method applicable to our own country, without stopping to ask, whether the method proper to be adopted here, is or is not applicable to other countries. If universal human society be an organism, each nation is also an organism on a smaller scale, and has its own vital force and central principle, which is the life of its members.

I begin by stating, in the most emphatic manner possible, that the *actually existing government of this country, is the most perfect solution of the problem of what should be the constitution of government for us, that I am able to conceive of.* In giving us our institutions, Providence has solved the problem for us. Let no man accuse me of a want of love or reverence for these institutions. I write on government as an American, and as a patriot; and my sole motive in sending forth these essays, is to guard as far as so humble an individual as I can, against any departure, by my countrymen, from the true nature of the order already established among us.

But, it is only in their true and essential character, it is only as understood and administered in perfect accordance with their radical, essential principle, that, in my judgment, our American governments can be regarded as a practical solution of the problem as to what the constitution of gov-

ernment should be. What then is this radical, this essential principle or character, of our American institutions? To this question one of two answers must be returned.

1. Our government is a Representative Democracy.
2. Our government is a Constitutional Republic.

What is the difference between these two answers, and which is the true answer? Are we Americans, if true to our institutions, Democrats, or are we Constitutional Republicans?

A representative democracy is neither more nor less than a simple democracy,—at least theoretically considered. The representative principle, which some authors have regarded as a modern discovery, was not unknown to the ancient republicans, and may be detected in the Athenian state as well as in ours. What is done by the people, whether done by them in person or by their deputies, is alike done by them. The question, then, is, What is the difference between a democracy and a constitutional republic? Some among us contend that there is no difference between the two, but that both are one and the same. This was the ground assumed by some in the Rhode Island controversy, and hence they contended, that the federal government must recognize the people's constitution, because that government is bound to guaranty to each of the states a *republican* form of government. But the word democracy names a *species*, of which republic is the *genus*. Every democracy is a republic; but every republic is not, therefore, a democracy. Rome was never a democracy, but it was a republic, and so called even under the emperors. Venice and the Dutch Netherlands were each a republic, but by no means a democracy. In the best, and authorized use of the term, any government is a republic, in which power is held to be a trust from the commonwealth to be exercised for the public good, in opposition to the private interest of the ruler or rulers. France, England, Belgium, and some of the German kingdoms, are republics, for the king in them is only the first magistrate, and represents not his own personal rights, but the majesty of the state; but Austria, Russia, and the Asiatic kingdoms and empires generally, are not republics, for the king or emperor does not represent the majesty of the state, but is held to be it, the sovereign and proprietor of the kingdom; and his glory, not the public good, is the theoretic end that is to be sought. A constitutional republic, may, then, be defined, *a government in which power is held as a trust*

from the commonwealth, to be exercised *for the public good, according to a prescribed law*, whether actually exercised by one man called king or emperor, by the few called the nobility or aristocracy, or by the many, called the people, or, to adopt a *Europeanism*, adopted, but improperly, by some of our politicians, the *democracy*.

A democracy, understanding the term strictly, is a government, not only administered by the people, but in which *the people*, or the major part, practically considered, *are sovereign, and their will, whenever, wherever, or however expressed*, IS THE SUPREME LAW. The essence of democracy lies in the assertion of the simple unqualified sovereignty of the people. The people may adopt as many forms as they please; may tie up the exercise of their power as it seems to them good; but, if their simple absolute sovereignty lie at the bottom of the state, the state is a democracy.

The great difference between a constitutional republic, in which, as with us, the mass of the people take part in the exercise of power, and a simple, absolute democracy is in this, that in the democracy, the people are absolute, subjected to no forms not *self-imposed*, and in which they are at all times, and on all subjects free to make their will prevail,—whatever they will is law; but in the constitutional republic, the people are free to act only *within certain limits*, only through *prescribed forms*, and, however unanimous they may be, only such of their acts are laws, as are done through these forms.

Now, according to these definitions, which is our government, a constitutional republic, or a democracy? I do not hesitate a moment to answer for myself, that it is *not* a democracy, but a constitutional republic, and that every effort to interpret it according to the democratic theory, is an attempt at revolution, and ought by no means to be encouraged by any who love their country, and desire individual freedom, or public prosperity. With us, whether we speak of the federal government, or of the state governments, the constitution is *suzerain*, paramount to the will of the people; or in other words, with us there is no will of the people officially cognizable, but that which expresses itself through the constitution. This is established by two undeniable and generally admitted facts: 1. That no act of the people through the legislature, however large the majority in its favor, unless it be constitutional, is law; 2. No alteration of the constitution can be rightfully effected, but in the way

and manner prescribed by the constitution itself. The convention called to revise, or amend, the constitution, does not suspend or abrogate the constitution, for it is a *convention* only by virtue of its authority; the authority of the constitution survives in the convention; and is reproduced in the new constitution, which comes forth from the convention; for this new constitution could never become by a *legal* process a constitution, did not the old constitution empower the convention to draw it up. Now, it is idle to call that government, in which the people can act only in and through the constitution, only through and in obedience to prescribed forms, a democracy. To speak strictly, it has not a single democratic element in it.*

This appears to me also, to be the view taken by our party itself, in its origin. The younger members of this party, in their innocence, may think, that it was always called the Democratic party; but it originally called itself, not the Democratic party, but the Republican party. Jefferson, Madison, and other fathers of the party, did not call themselves Democrats, but Republicans. I myself remember well, when members of the party regarded it as a foul reproach to be called Democrats. "I am not a Democrat, but a Republican," was their indignant reply to their Federal neighbors, who, in the heat of controversy, would sometimes so far forget the courtesies of civilized life, as to call them Democrats. The party has accepted and borne the name of Democrat, to any very considerable extent, only within the last ten or fifteen years; and it protests, in some sections of the country even now, against this new name, and insists upon its old name of Republican, which it bore in the days of Jefferson, Madison, and Monroe. If the party had really

* In the preceding essays, and in my writings generally, though I am not aware of having ever contended for democracy in the sense I here define and reject it, I have used the terms democrat, and democracy, with warm approbation. I have been betrayed into this verbal inconsistency, no doubt, sometimes through carelessness, perhaps, through ignorance; but, for the most part, because, when I have so used these terms, I have meant to approve of what I supposed to be the real faith of my party, and in order to do so, I must use the terms in which that party is accustomed to express its faith. The party is wrong in calling itself the Democratic party, and its faith democracy. Its faith is republicanism, and it is the republican party, and it should correct the misnomer of which it is guilty. But, I pray my readers, wherever they find in any of my writings the word democracy, applied not to the *end* of government, but to its *form*, to translate it, if they would not misinterpret me, by the words, *constitutional republicanism;* for constitutional republicanism, is, in all such cases, what I really mean.

rallied around the democratic idea, and looked upon our institutions as being at bottom democratic, why did it so indignantly spurn the name of democrat?

But I go still further; I say, that, up to this moment, the dominant sentiment of the now-called Democratic party, if not its dominant theory, is that our government is a constitutional republic. I find proofs of this even in the views of those called *Barn-burners* in New York, and *Radicals* in New Hampshire. The name *Barn-burners*, was at first I believe applied to persons along the Canadian lines, who sympathized with the patriots; but it is now, if I am rightly informed, applied to those who sustain Colonel Young, secretary of the state of New York, in his view of the constitutionality of certain acts of the legislature of that state, authorizing the issuing of several millions of state bonds. Now, what are Colonel Young's objections to these acts? Does he contend that they are, or were disapproved of by a majority of the people, that a state has the right to break its faith with the public creditor; or that it is inconvenient for the state to redeem these bonds; and therefore, that it is not bound to redeem them? Not at all. He simply takes the ground, that the acts of the legislature, issuing these bonds, were *unconstitutional*, and therefore not the acts of the *state* of New York; and, therefore, the state of New York is, in no sense bound by them; according to the maxim of law, that the principal is bound by the acts of his agent, only so far as the agent acts under his authority. Whether Colonel Young is right in his exposition of the constitution, or whether the state of New York, allowing him to be right, ought or ought not to redeem the bonds in question, are matters with which I have, at present, no concern; but I say this, that the principle for which he contends, is sound only on the condition, that New York is not a democracy, but a constitutional republic; and that the representatives of the people can therefore exercise only such powers as are prescribed to them in the constitution.

The radicals in New Hamphshire, may have many notions with regard to the origin of the constitution in the will of the people, which are inconsistent with their practical doctrines, and, in my judgment, this is the case; but in the controversy between them and their conservative brethren, they, originally, whatever may be the fact now, took the side of the constitution, and were constitutionalists rather than democrats. The controversy, as I understand it, began

about the right of the legislature to allow railroad corporations to take, for their own use, the land, or private property of individuals, without the consent of the owners. The radicals took the ground,—which each corporation, when it suits its purpose, always takes for itself,—that the corporation is a *private* corporation, created for private, not for public purposes; and therefore, to allow it to take the private property of individuals, without the consent of the owners, is an obvious violation of the constitution, which prohibits the property of individuals from being taken, for any but public uses, without the owner's consent. I may say in passing, that I do not, for myself, admit that railroad and similar corporations, are to be regarded so exclusively as private proprietors, as my radical friends, and the ultra advocates of vested rights, contend. They are at least *quasi*-public institutions, created for public purposes, and, therefore, not exempted from the supervision and control of the public authorities. Nevertheless, the principle laid down by the radicals, bears witness to the fact, that they appeal from democracy to constitutionalism, and proceed, not on the principle, that our government is a pure democracy, but that it is a constitutional republic; for otherwise they would object to the measure not that it is unconstitutional, but that it is not democratic.

A single glance will show us the operation of democracy in these cases. In a democracy, the will of the people is supreme. This will is just as likely to be truly expressed by the legislature as by the convention. The people are in fact no more assembled in the person of the delegates than they are in the person of the members of the legislature. An act of the legislature ought then to be deemed equal to an act of the convention. We are here bound by no formulas. What we want is the will of the people,—of the majority. Well, the majority pass a most base and mischievous act,—"alien and sedition laws." if you will,—laws abridging the freedom of speech and the press; agrarian laws dividing equally the property of the state among all its inhabitants; or laws giving to a few individuals all the property of the rest; all these laws must be submitted to, because passed by the highest authority in the state. The active, intriguing, selfish business men, who believe it hard times unless they can pocket eleven-twelfths of the proceeds of labor, want nothing better than this. Nothing is so hostile to them as constitutional government; and they always

try to make us believe, that what does not favor their special interests, is unconstitutional. The whole history of our country shows that the party in favor of monopolies, of special privileges, and opposed to equal rights, has been the party, that has interpreted, in its acts, our government to be a democracy, instead of a constitutional republic. On what other than the democratic ground, that is, that the people are supreme, and that their will is paramount to the constitution, have a protective tariff, a national bank, distribution of the proceeds of the public lands, ever been defended? and have we not, for the most part, opposed them expressly on the ground of their unconstitutionality? How easily would Mr. Clay have carried all his favorite measures in 1841, had it not been for the constitution! It is not for the interest of the men represented by Mr. Clay, to regard our government as a constitutional republic; for annul the constitution, and leave them to do whatever they can get a majority for the time to consent to do, and they will rarely fail to carry their ends. It is for the interest of the many, the great mass of working-men, mechanics, and small proprietors,—the quiet, peaceable part of the community,—on whom fall the principal burdens of the state,—it is for the interest of these, that the constitution be held to be *suzerain*, paramount to the popular will; for the popular will, sure to prevail, is never the will of these, but of the active, selfish, speculating few, who worship Mammon, and compound for their idolatry, by now and then making a donation to the church, to a hospital, university, or some institution for the poor. It is sheer madness on the part of the friends of the poorer and more numerous classes, to seek to change our institutions, and to substitute for our constitutional republic a simple and absolute democracy.

Our friends have deceived themselves on this point, by not distinguishing truly between the *means* and the *end*. Their heart's desire is to make all men free, and especially to benefit the great mass of the people. To labor to make all men free, and to benefit the great mass, they have called democratic. Why? By what secret thought has this been called democratic? Simply because it has been rashly assumed, that, if government be vested solely in the people, and its administrators be held at all times responsible to them, it will be administered for the freedom and common good of all. Hence, Mr. Bancroft, as we have seen, defines democracy, "Eternal justice, *ruling through the people*."

This definition states the end of government, to wit, the prevalence in human affairs of eternal justice, truly and felicitously; but it assumes, that, if the government be vested in the people, this end *will be secured.* Now the American people generally confound the end with the means; but the real application they make in their most intimate thought, of the term democracy, is not to this "*ruling through the people.*" but to this "eternal justice," ruling *in human affairs.* They have not, generally, noted, the subtle assumption contained in this famous definition, if they had, they would have hesitated before accepting it. My own definition of democracy, which I embodied in a resolution adopted by the convention of the Republican party of Massachusetts, in 1839, is better than this; but still contains a fallacy, and may serve to point out the fact to which I am seeking to draw attention. My definition was, "Democracy is the supremacy of man over his accidents." Take my whole thought: Democracy is that form of government, which legislates for man simply as man, without reference to his accidents, such as position, wealth, poverty, birth, education, calling, or profession. Now, so far forth as men, all men are equal, and demand the same treatment. Government, therefore, restricted to act for man as man, would always act for that which is common to all, and for the special interest of no one. We should then have equal laws, and no special privileges. The government that would thus act, I called democracy, simply because the end was common to all men, and not merely to a few. "Well," said a Whig friend to me one day, when I was going to a neighboring town, to make a speech for the benefit of my party,—"Well, suppose you are right in your definition of democracy, how would you distinguish a democracy from a monarchy, that should in the practical administration of government, always maintain the supremacy of man over his accidents?" The question did by no means affect my theory of government, but it exposed, at once, the vague and absurd use I had made of the word *democracy;* for in giving my definition, I had no intention of affirming, that the democratic *form* of government would, or would not, secure the end in question. My object, in giving the definition, had been to propose distinctly to my democratic friends, the end they must seek, in all their political action, to realize.

Now, I apprehend, that the great mass of those who contend

for the democratic name, really do so, on the very ground, that I did in giving this definition, and continued in all my writings to do, till the summer of 1841, when I learned better; for I then saw, that in theoretically giving it to the end, the people would, in practice, unconsciously, give it to the form, and then, losing sight of the end, come to contend only for the form. This use of the word, to designate the end of government, is not the true use of the word, and when so used it leads to practical errors. It properly designates the *form* of the government, and should be used for this purpose, and this alone. Make now the distinction between the end of government and its form, then ask the members of the party called Democratic, if they are democrats, and you will get the true issue. When it comes to this, I much deceive myself, if the majority of the party, would not still say, that they are constitutional republicans, and not democrats. But there are, as Mr. Bancroft's definition proves, some among us, who are not avowed democrats only when they speak of the end of government, but also when they speak of its form. They hold, avowedly, the doctrine, that pure and simple democracy will secure the rule of eternal justice. With these I join issue. To these I oppose the deliberate conviction of the American people, so far as our actually existing institutions may be taken as an exponent of that conviction,—for these institutions I have proved to be not democratic,—and also every appeal the Republican party makes from the will of the majority to the constitution. I go further, and show them, that in a pure democracy, where there is a diversity of interests and pursuits, and inequality of conditions, the stronger interest, —which will always be the interest of the few instead of the many,—will invariably be the ruling interest. The democratic form of government has, and can have, but two terms, *universal suffrage, and universal eligibility.* Every man, so far forth as a man, is equal to every man. Allow every man an equal voice, and every man will resist every attempt of his fellow, to gain a special advantage; and this resistance of each to each, will prevent all action, or compel each to fall back on that which is common to all. That which is common to all, and for the special interest of no one, is that which ought to prevail,—is the very end of government. Hence, universal suffrage will always secure the true end of government, or the prevalence of eternal justice. This is the democratic

logic. But in order to be conclusive, every man must be, not theoretically, but practically, in all respects, in ability, position, intelligence, virtue, and interest, the exact measure of every other man; which we know is not the fact. I can command a thousand votes, my neighbor but one, and hardly that, if he depends on me for employment, and on the employment for the means of supporting his wife and children. We both have the equal right to vote, but we are no longer equal; for I virtually put in a thousand votes to his one, and these thousand whose votes I command, none. Here is a stubborn, practical fact, which for ever renders the aforesaid democratic reasoning fallacious. Nor is this all. The government itself, as soon as instituted, would create an inequality in society, if all the members were previously equal; and also antagonism of interests. It would divide the community into tax-payers, and tax-receivers. The taxes must be collected from the many, and paid out to the few. The many must pay more than they receive in return, the few less; for it would be absurd to disburse to every man as much as was collected from him. Now, here is inequality, and antagonism of interests. The interest of the few,—the tax-receivers,—will be to get as much tax as possible; of the tax-payers to pay as little as possible. In this contest the tax-receivers will always carry it over the tax-payers; for they are the administrators of the government, and can bring to their aid, in addition to their own individual influence, the whole weight of the government, and thus make the many afford the opportunity, and pay, for being plundered.

Nor stop I here. To contend that democracy will secure the end, which we have found to be the true end of government, is to fall into the absurdity of taking the end as the means of obtaining the end! What is this end? Freedom for each individual to act out his own individuality. Leave every individual free to make his own voice heard in the affairs of government, and the government will be administered for the common good. Admirable! But then, this freedom is precisely, under one of its aspects, the end we are to gain by government. Do you not see, that you assume the freedom of every individual, as the condition of securing the freedom of every individual? How do you get this freedom to begin with? And if you get it without government, what do you want government for? Here you are, if you understand yourself, plunging into no-

governmentism. You are doing in politics, precisely what naturalism does in religion. The law that man is to obey, says naturalism, is in man's nature; was given him in the day of his creation; and if he obeys that, it is enough. What need, then, of Christianity? Ay, *if he obeys that;* but it is precisely because he does not obey, and, through disobedience, loses his power to obey, that law, that he needs Christianity, as a gracious system of means, to be to him "the wisdom of God, and the power of God," to move, and to enable, him to obey. If all men are free and independent your democracy might be introduced, and answer the purpose of government; because there would be no purpose for government to accomplish,—the freedom and independence which it is its office to secure, being already possessed. But it is precisely because men are not free and independent, because they cannot be free, and each in condition to perform his special function in the social body, without government, that government becomes necessary. Do comprehend, that government, like the Gospel, is the means to an end. Strange, that men in this Christian land, should comprehend so little of the universal necessity of mediatorial grace; that, not in the theological sense only, but in every possible sense, is it true that we come to the end only in and through a mediator. The mediatorial character of government, the necessity of a mediator to secure us the freedom we need, is overlooked by every consistent democrat, just as the necessity of the mediator to bring us to God, is overlooked by every unbeliever in Christ; and it is worthy of remark, that just in proportion as men follow the democratic tendency, the less do they think of government, and the more disposed are they to conclude, that after all, government is unnecessary, and we could get along perhaps better without than with it.

Let me not be misinterpreted in these remarks. My motive in making them, is to warn my countrymen against applying the democratic theory, instead of the constitutional theory, to our institutions, as the principle of their interpretation. To interpret them by the democratic theory is to destroy them; for democracy is *essentially* the antagonist of every *institution.* What absurdity to talk of *instituting* the people; or of popular sovereignty, as an *institution!* In a democracy the people are sovereign, and, of course, every thing to which the word *institution* can be applied, is inadmissible. Just in proportion then, as we

apply the democratic principle to our institutions, and seek to realize it in the administration of the government, do we sweep away government itself, and plunge into anarchy and disorder. There is safety for us only in adhering to the fundamental principle of our institutions, only in adopting, in our practical interpretation of them, not as we are beginning to do, the democratic theory, but the constitutional; only in keeping always in mind, that the American government is not a democracy, but a constitutional republic. Forget this, get up one universal shout for democracy, and cry down every man, however devotedly attached he may be to the republican government of the country, and however enlightened and ardent a friend he may be of all measures, which do really tend to work out a higher social good for the millions, and the constitutionalism, which a wise and beneficent Providence enabled our fathers to establish, will soon be supplanted, and society will become a wild, weltering chaos, in which there shall be no security for either person or property; and in which the great mass, worrying and devouring one another, shall be finally converted into the mere tools with which the artful, the designing, the unprincipled, the ambitious, shall build them up wealth, aggrandizement, or thrones of despotism. I speak not here in wrath; I speak not in idle declamation; but in sober earnest, out of deep and all-enduring love of my country and her institutions, words, that, would to God, I could send home to every American heart. Am I speaking to the winds? I see the torrent swollen by recent rains and melting of the snows, broken loose, rushing from the mountains, and sweeping in wide devastation along the plains,—O, God! is it TOO LATE, to stay its fury, or direct its course?

Still, I repeat, let me not be misinterpreted. I am no advocate for the restriction of suffrage and eligibility, the two cardinal points of democracy. True I understand nothing of the doctrine, that, independent of civil society, makes either a natural right. They are functions not of the *natural* man, but of the *political* man; and are, therefore, subject to the determination of the state. Without the state they are inconceivable, and can exist only within the state; and, therefore, must be subject, not to natural law, but municipal regulation. Let us beware how we confound *equal rights*,—for which a party among us, sneered at and condemned as "workies," "radicals," "loco-focos," "agrarians," have done nobly in contending, however they may

have misjudged as to the proper means of securing them,—with the equal right of every man to have a voice in saying who shall be the law-makers, and what shall be the laws. The equal rights, for which these contend, belong to social position, condition, or opportunity, and are, equal chances to equal capacities, and equal rewards to equal works. The working-men's party,—a party which has never been understood in the country, and which miserable demagogues are even now courting while perverting,—meant by *equal rights*, precisely what I have defined to be freedom for each individual to act out his individuality, or to perform his special function in the social body. They saw, that, in every society on earth, this freedom is restricted, and is nowhere enjoyed; they felt that government should secure this freedom; they felt, moreover, that neither of the great political parties of the country did secure, or even labor to secure it; and they came forward from their carpenter's shops, their blacksmith's forges, and shoemaker's benches,—men who were sick of humbug and cant, men of downright earnestness, and demanded, in such tones as they were masters of, that henceforth government should be administered so as to secure the end for which, and for which alone, it exists. Noble minded men! I heard your voice as it rang out from your work-shops, and responded to it from the Christian pulpit, where then I stood. It still rings in my ears, and in my heart, and, though you have been decried, denounced, and your noble aspirations blasphemed, I yet dare echo your voice; and, amid all the charges of fickleness, of change, and conservatism, with which I am now overloaded, I fear not to say, that never for a moment have I ceased to stand by your cause, and to defend it as the cause of truth, justice, right, patriotism, humanity, religion. Under your flag, which ye flung out to the breeze fourteen years ago this very month, I enlisted; under it I have fought, and in it I will be wrapped, when laid in my grave. It is not your doctrine, wronged and decried working-men, not your doctrine of equal rights, that I condemn; but that of partisans who have succeeded you, stolen your name and livery; but only as the hypocrite steals "the livery of the court of heaven to serve the devil in." Ye wanted freedom to perform the functions which God gave you: to stand up the men ye were made to be; men of pure heart, of sound mind, and strong hand,—living and toiling for the realization of the will of Heaven, in the manifestation and

growth of humanity; they want a political machine, in which ye shall be the cogs and wheels, or the motive power, which they can work for their own political elevation and selfish ends. Hence their fawning and caresses, their protestations of love for the dear people, and their maddening shouts of "democracy! democracy!" But what do they propose for your benefit? What have they done to elevate your condition? They would extend to you the elective franchise;—ay, but with the express understanding that you are to vote for them, and that they are to turn you off with mere political equality, while they reap all the advantages of the social state. Out upon them. They are wolves in sheep's clothing.

I must be pardoned for this apparent digression. Unwearied pains have been taken to prejudice me in the eyes of my old friends, the working-men, and to have it go forth, that it is their doctrine of equal rights, that I condemn under the names of democracy, and loose radicalism. No such thing. We erred in many of our views as to the proper means of gaining the equal rights for which we contended, and had we succeeded in carrying our measures, we should not have succeeded in our end; but the end itself was true and just, and never was confounded by one of our number with *the* democracy and equality, which in the pages of this journal, and elsewhere, I have condemned. Trafficking politicians early seized upon some of our watchwords, and gave them a meaning widely different from the one we gave them, and would now fain make it believed, that they are our genuine successors, and that we in disowning them, are disinheriting our own children. Let them tell this to the marines, or to the greenhorns; we who survive of the Working-men's party of 1829, are too old *salts* to believe them. We know what we struck for, and shall not be wheedled out of it, by the mere adoption of our battle-cry.

The most that can be said is, that the political equality expressed by universal suffrage and eligibility, is a necessary means of securing the "equal rights," or the freedom, which we have seen to be the legitimate end of government. The right of every man is to be well-governed, so governed as to enjoy this freedom. If the suffrage and eligibility are indispensable means to this end, then, but only then, can they be said to be a man's natural right. They are neither indispensable means, nor adequate means to this end. Mere political equality is by no means the equivalent of equal

rights, or legitimate freedom. This is the error, as we have seen, of our democratic politicians. Nevertheless, we should, in a country like ours, where the conditions of the people are so nearly equal, contend that every man, who has not, in any way forfeited his manhood, by crime or misdemeanor, should have the municipal right in saying who shall be our law-makers, and, through them, what shall be our laws; and also an equal right with every other man to be voted for, if his fellow-citizens see fit to give him their suffrages. All I contend is, that the right in question, is a right of the *citizen*, not of the *man*. The rights of the man, I have defined under the name of freedom; the rights of the citizen, are simply means for securing, and enjoying, the rights of the man. And to this end, though not of themselves sufficient, the rights of suffrage and eligibility, no doubt, with us, do, or at least may, contribute, and should on no account be abridged.

Democracy says, that they will *necessarily* secure this end, and that the connection between the rights of suffrage and eligibility, and freedom, is so intimate, that no distinction is to be drawn between them. But this is founded on the assumption, that the voice of the people is the voice of God, and, therefore, that where every man is free to express his own sense, in the practical administration of the government, the voice, or will, of God, which we have translated by the word, freedom, will necessarily prevail. To this we have objected, that in a democracy, owing to the inequalities of conditions, and influences, and to the natural operation of government, we cannot secure this free expression of the sense of each man; and, if we could, government would be superseded, for the sense must exist, and the conditions of expressing it, independent of the government; we further object, that, what is assumed here, as the basis of the argument, that the voice of the people is the representative of the voice of God, *is not true.* I do not deny, nay, I assert, that the will of God, to a certain extent, speaks through man's nature; for creation is no less a revelation of the divine will, than is providence. Hence, I infer from the fact, that God has made man, that he wills man's freedom; for man exists, and can exist, only so far as he is free. But freedom is not license; it must therefore be directed; and while man is left free to act, his activity must be directed to the legitimate end of activity. I do not destroy the river when I prevent it from overflowing its banks, or when

I give its channel a certain direction, and confine it within its channel. The current of human activity must flow on unobstructed; but all means, that can be taken, not obstructing its on-flowing, must be taken, to compel it to flow on in its destined channel. Hence, two forces are to be considered; the *propelling force*,—that carries man onward, the innate activity, which is man himself, or human nature; and the *directing force*,—which must be other than this human nature,—which confines the first named force within its appointed channel, and prevents it, not only from taking a wrong direction, but from overflowing and sweeping away what may grow along its banks.

Now, the assumption of democracy is, that this first named force is the only force to be recognized. Human nature unquestionably speaks out in every man, and speaks always, says democracy, what it should speak. Leave man solely to himself, to his natural promptings, to move in the direction his nature impels him, and he will always move in the right direction, to the precise end, towards which God wills him to move. Unless we assume all this, it were absurd to say, that the free expression of the sense of every man in the practical administration of the government, will be the prevalence of the will of God. But are the advocates of this doctrine aware of what they do, when they say all this? Are they aware, that they assume, that, whatever nature prompts, is just and right? That they, not only deny the fact, that human nature is imperfect, or depraved, as both religion and philosophy teach, but do actually contend for its divinity,—actually making it identical with God; at least, the true and perfect, and, therefore, authoritative, representation of God?

But, with the history of the past, nay, with the present state of the world, open to our inspection, how can we fall into the monstrous absurdity of such a blasphemous assertion? How from a perfect, a divine, human nature, representing in all its instincts, all its promptings, all its tendencies, the divine will, could spring up the terrible evils, which have afflicted our race, since the eating of the forbidden fruit, and since the murderer Cain, who denied that he was his brother's keeper, down to the wrongs and outrages, selfishness, vice, and crime, under which we now groan in pain? Whence false governments? Whence tyranny and oppression? Whence the exaltation of the few at the expense of the many? You must either assume, that human nature

left to itself, will not go directly to the end God wills; or else you must boldly declare, that whatever is, is right; that there are, and have been, no wrongs; that there have been no tyrants or oppressors; that there is, and has been, no disobedience to the divine will. They who are prepared to make this last assumption, are indeed unanswerable, they are past being reasoned with; and can be corrected only by physic and good regimen.

The fact is, men have always been free to follow nature, in the full sense, in which democracy demands, and it is because of this, that we have had so many evils of which to complain. Is it, I ask, not natural for man to oppress man? Is not every man naturally a tyrant? Does not every man naturally seek to gain all he can for himself, and thus prove himself the plague and tormentor of his kind? Away, then, with this insane deification of human nature! With old paganism, our "nature-worship," should cease. What is the meaning of Christianity? What means its profound doctrines of sacrifice and self-denial, if nature is perfect, and always to be obeyed? Christ came to redeem man from the curse of his nature, and his religion is given us to control nature, and guide it to obedience to the divine will. Here is the condemnation of the doctrine of the divinity of humanity, which I with so many others, in the madness of theory, have been left at times to insist upon,—a doctrine which, in my remarks on the Philosophy of History,* I have done my best to expose and refute.

While then we leave to man his natural activity, that is, freedom to act with the whole force of his nature, we must, for the right governing of that force, have another force, out of him, to turn it in its proper direction for the attainment of the true end of man. Man's mis-directed energy, destroys his energy itself; and he annihilates himself, just in proportion as he abuses his power. Hence, say the Holy Scriptures, "*the wages of sin is death.*" The power itself, veritable human activity, is preservable only on condition of its right exercise. Now, as the democracy we are condemning admits no *directive* force, nothing to guide the *propelling* force of nature, it would not secure in the administration of government, the full expression of the will of God, even if it could, as it cannot, collect the sense of every individual man, in the freest and fullest manner.

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*Brownson's Works, Vol. IV., pp. 361, *et seq.*

The office of the government is not to destroy, nor in any degree to weaken, the force which man is, but to guide it in the right direction. We have shown, that it cannot have its origin in human nature, for then it would be human nature, and therefore the force to be guided; but it must have its origin out of man, in God,—man's rightful Governor. We must then dismiss the democratic form of government, as false in its origin, impotent to direct, and dangerous in its tendencies. If, then, we contend for universal suffrage, and place the administration of the government in the hands of the people, *as we have wisely done in this country*, it must still be the people under the constitution; not as the government taken absolutely, but as the ministry, subject themselves to the power that makes, or imposes the constitution.

If there be any force in my reasoning thus far, I have established two important facts: 1, that our government is not a democracy, but a constitutional republic; and 2, That just in proportion as we resolve it practically into a democracy, do we destroy its character as a government,—its power to answer the true ends of government. To complete my view, and to show how our form of government solves the problem as to what should be the constitution of government, I ought now to go on, and give my views of the constitution, and show what is the real constitutional theory of the government; but for this, it must be obvious to every reader, I have now no space. I must therefore content myself, with reiterating, that in this constitution, understood and administered according to its true intent and meaning, I find the practical answer, which I accept with all my heart, to the question, what should be, for us, the constitution of government.

But leaving now the *end* of government, and accepting our own institutions, as the practical answer to the question, what should be the constitution of government, we may proceed to consider our third question, namely, *What is the part of the people in constituting the government?* This question, in the sense I wish now to take it up, I repeat as I put it in my last paper: "Denying then the absolute sovereignty of the people, denying also, that the people are the representative of the divine will, and assuming, that it is the divine will that is sovereign, and therefore that which is to be collected and expressed by the constitution of the state, may we not say, that it is, nevertheless, *the people* who must devise, establish, and maintain this constitution?"

I have affirmed, that our government is a constitutional republic, that in our political order, the constitution is supreme, and that no action of the people, through the legislature, is law, unless authorized by the constitution. This much, I presume, will be conceded on all hands. The point of the controversy is not here, but further back; not as to who may act, or what may be done, under the constitution, but as to the power that makes the constitution. The constitution with us, when made, unquestionably represents the will of the sovereign. What then is the power that makes the constitution?

The popular answer to this question is, that the people make the constitution; that it emanates solely from them; and is, therefore, at all times, and in all respects, subject to their will. This is the strictly *democratic* answer, and, if true, would prove that our government is, not a constitutional government, but a democracy.

Now, this is precisely what I have all along, in these essays, been denying; and my chief purpose has been to demonstrate, that this answer is inadmissible, and that if it were not, our government would be proved to be tantamount to no-government. In order to demonstrate this, I have gone back of popular sovereignty, and traced government to its origin in divine right, and shown, that it is not, and cannot be, government, unless it can speak with more than human authority.

This *more than human* authority, I have contended, must be embodied and represented in an outward visible institution; which institution, in one of its necessary departments, is the church, in the other the state.

By accepting our government as the practical solution of what the constitution of government should be, and proving it to be not a democracy, but a constitutional government, I have necessarily identified the state with the constitution.

The constitution, then, represents, not the authority of the people, but, under the church, the authority of God. On this ground, and this alone, I demand for it allegiance, and the loyalty of the subject. It expresses, not the propelling force, which we have seen is man himself, but that other force, which we found to be necessary for the control and direction of man.

Now, premising all this, have the people any part, if so, what part, in making, devising, adopting, changing, modifying, or preserving this constitution, which, as we have

seen, represents the divine will, and is identical with the state? This is the question now before us.

I must now ask my readers to turn back to my last essay in this journal, and re-read it from page 353 to 360, inclusive. It is the metaphysical portion of that essay, and somewhat bristling with scholastic formulas, but important in solving the problem before us. Wherefore did I go into the demonstration of free agency, and prove from the profoundest data of modern philosophy, as well as of ancient Platonism, that man is an *entelecheia*, *essentially* causative force? Why, but to demonstrate that God himself, in his government of man, can govern man only in and through man's freedom, and therefore, that every government claiming to be divine, must needs do the same, if it would make good its claims? And why this, but to establish beyond all cavil, by going to the bottom of things, that human agency must have its share in every wise and just, in every *legitimate*, government.

In constituting, and in administering the government, in all that concerns it, there is room, not only for human agency, but *popular* agency. "Men," I say, in the conclusion of the last essay, "cannot create, or institute, the sovereign, they cannot originate or commission government; but they can provide, more or less wisely, for the free, full, and authoritative expression of the divine will, the only legitimate sovereign." The force that acts in constituting the government, as well as in administering it, is the *force*, which I term humanity, and under our constitution, it is THE PEOPLE; the *authority* under which, and by which, it acts, is not the authority of this human force itself, but that of God. The solution of the problem, is in this distinction, between the FORCE that acts, and the AUTHORITY that directs it.

Let us state this in other terms. The people are not the government; but they really act in constituting and administering it. As the active agency is that of man, and as man acts only in individuals, unquestionably, the greater the number of individuals whose agency you can secure,—that is to say, *the more truly popular* you can render this agency, the nearer you come to COLLECTING THE ACTIVE FORCE OF THE WHOLE PEOPLE, the better. Here is the great wisdom of our own institutions, and, in this fact, that they are so contrived as to collect the sense of a larger proportion of those who are their subjects, than the institutions of any

other country, do I find their chief glory. Thus far I go with my democratic friends, and find room for the freest and fullest action, of what the *Washington Globe* calls "the Democracy of Numbers."

But this popular agency must be subjected to authority, not to an authority which annihilates it,—for that would be for authority to annihilate its subjects, and to put itself out of the condition to govern; but to an authority, which, while it leaves it free to exert itself, yet prescribes to it the rules of its action, the forms through which, and through which alone, it can of right act. This authority the people are not, and cannot be. It must needs be over them, and independent of them. In some forms of government, this authority can make itself but faintly heard, scarcely felt; these are purely *human* governments, and therefore tyrannical and oppressive.

Translate what we have said here into the language of practical politics, and it will mean precisely what is exemplified in our own history. It will mean, that the people may modify the existing forms of the constitution, but *only in obedience to the constitution itself*. With us, as we have seen, the constitution does not emanate from the people; because the convention is called by a prec̈xisting authority; and it is that authority which reappears in the constitution that comes forth from the convention. The people are acting under law, under the existing constitution, just as much when assembled in convention, as when assembled in the legislature. They are in convention the representatives, however, of the supreme authority of the state, and, therefore, may do whatever that authority has the right to do. They may,—with an exception hereafter to be noted,—do whatever seems to them good. But,—and this is the point to be borne in mind,—they do it, not in their own name, not in right of popular sovereignty, but in the name of the authority that convenes them. Assume the absence of that authority, and the whole action of the people would want the sacred character of legality. Their acts are law, only because they are sanctioned by authority, only because the convention, is by virtue of the authority convening it, in principle that authority itself.

This amounts, as I understand myself, simply to this: the people in organizing the state, and administering its affairs, are the active agency, and may do whatever the state itself permits or authorizes them to do. But, I am

asked, What then have you gained by your long metaphysical discussions, and furious tirades against your democratic brethren? Was it necessary to go over all this ground, to make all this ado, merely to tell us, that the people can only act under and in obedience to constituted authorities? Do you forget the *ridiculus mus* of the old fable? No, my good friends, but you forget that I have, for your side of the house, demonstrated that man is not the *passive* subject, but the *active* subject of government, and therefore, have demonstrated his right to free action even in being governed. Moreover, I have demonstrated that men are, and must be, *active*, not *passive*, agents in constituting and administering the government; and that the larger the number of individuals you can bring into the category of active agents, the more wisely will your government be constituted. This is more than any democrat, to my knowledge, has ever yet done, whether it be the mountain bringing forth a mouse or not.

But this is not the point. We would know where you lodge the sacred right of insurrection, "the glorious right of rebellion and revolution;" what the part of the people in throwing off corrupt and oppressive government, and instituting "a new government, and laying its foundations on such principles, and organizing its powers in such form, as shall seem to them most likely to effect their safety and happiness." If the people can act only under the sanction of constituted authority, how can they overthrow that authority itself, when it becomes corrupt and oppressive? How can we, on this ground, ever get rid of bad government? Your rule, if adopted, would perpetuate every government that is, however corrupt and intolerable, and prohibit all change, all redress, and therefore all progress.

This, I presume, is the real objection in the minds of my countrymen, to the doctrine I am trying to set forth. It is a fair objection, an honest objection, and deserves a serious and an honest answer. Such an answer it shall have.

1. This objection can, in this country, never be any thing more than a purely speculative objection; for we have agreed that our government is all that can be wished. Change here can never be desirable. Every true American must say with Mr. Calhoun, "I am a conservative in the broadest and fullest sense. I solemnly believe that our political system is, in its purity, not only the best that ever was formed, but the best possible that can be devised for

us. It is the only one by which free states, so populous and wealthy, occupying so vast an extent of territory, can preserve their liberty. Thus thinking, I cannot hope for a better. Having no hope of a better, I am a conservative."* All that we need, or ever can need in this country, is to preserve our institutions in their purity, and administer them according to their true intent and meaning. Here, we are never to be revolutionists, and therefore have no occasion to assert the right of revolution.

2. But, still it may be insisted, that it is a right, and ought to be asserted theoretically, even if suffered to lie in abeyance, for the time may come when it will be necessary to assert it practically. I am not certain, that resort to this right, in the sense some of our politicians contend for, can ever in any country, or in any possible combination of circumstances, be necessary. In their sense, the right of rebellion and revolution, is the right of the people, independent of all the constituted authorities, to rise up and overthrow all constituted authority, and institute government *de novo*. The necessity of ever resorting to such a right, is in my judgment, to say the least, extremely problematical. I have met with no instance, in my historical reading, where the state has been modified by a practical resort to this right. I take the English rebellion, which beheaded Charles Stuart, and founded the commonwealth of England, and I find the movement party acted always, professedly, under law, through the parliament, a legally constituted body, and claiming to represent the English state; in the revolution of 1688, which drove out James II. and called to the throne William, Prince of Orange, I find the revolutionists acting also by authority of parliament. In our own revolution, I have shown that there was no rebellion, properly so called, of the inhabitants, and that the resistance to the crown of Great Britain was made by the authorities, to which the American people owed allegiance. Strange as it may seem to those who have not investigated the matter, the same is the fact in regard to the French revolution of 1789. The states-

*It is but justice, however, to Mr. Calhoun, to add his own qualification of his conservatism. "Yet, while I thus openly own myself a conservative, God forbid that I should ever deny the glorious right of rebellion and revolution. Should corruption and oppression become intolerable, and cannot otherwise be thrown off,—if liberty must perish, or the government be overthrown, I would not hesitate, at the hazard of life, to resort to revolution, and to tear down a corrupt government, that cannot be reformed nor borne by freemen."

general were a legal body, a constituent element of the French state; and they were assembled in 1789 by the competent authority. The constituent assembly *legally* succeeded to the states-general, and the national assembly was elected and convened by a law of the constituent; and so also was the convention, which, when the king had forfeited the throne, converted the French monarchy into a constitutional republic. There were doubtless factions, disorderly proceedings of individuals, which were authorized by no law, and which went against all law; but one shall look in vain, through all the successive stages of that terrible movement, for a practical avowal by the French people of a revolutionary principle so broad and unmitigated as that, which we have seen resorted to, in the case of Rhode Island, Michigan, and Maryland.

I repeat, that I have met, in my historical reading, with no instance in which the state has been modified by disregarding all the constituted authorities, and falling back on the right of the subjects to rebel and overthrow the government. There have been rebellions, insurrections, and outbreaks enough, I freely own; but whenever the constitution of the state has been successfully changed, the reform or movement party, has always acted under some publicly acknowledged authority,—an authority known previously to the state itself. I will not say, that the authority alleged has always been broad enough to cover all the doings of this party; but that the party always professedly acts under it, and relies on it for its justification.

3. We cannot admit the right of rebellion and revolution in the people, without destroying the very foundation of government. There is, in fact, no such right. I deny it altogether. It cannot be a right conferred by the constitution; for it is the right to overthrow the constitution. It is not a right conferred by the state, for it is the right to subvert the state. If a right at all, we must, then, in order to find it, go out of the state to that which constitutes the state, and commissions it. Assume now, with the advocates of this right, that this authority, which constitutes the state, is the people; it must be the people either as organized into a body politic, or the people as an unorganized mass of individuals. But the people, as an organized body, are not superior to the state, but are *it*, and subject to the authority that organizes them, and, through the convention, prescribes the forms of their action. We cannot find the right in the

people in this sense, for it would imply a right in the state to subvert itself,—a manifest absurdity, for the subversion would be by legal authority, and therefore no subversion; for again, the authority of the state would survive in the subverter, and reappear in all its doings. We cannot find it in the people as individuals, without asserting the right of *each individual* to rebel, and resist government whenever it shall seem to him good; which, as we have seen, is to deny the very foundation of government. I repeat, then, that the right of rebellion and revolution, *on the part of the people*, is no right at all. The people have not, and never can have, this right. The people can never have the right to act, save through the forms prescribed by the supreme authority.

But suppose such is the character of the existing political order, that it is impossible for the people to modify the practical organization of the state by the authority of the state itself, what remedy would you propose? Must we submit and endure all?

The right to resist civil government, nay, to subvert it, when necessary for human freedom, I admit and contend for, in the most unqualified terms; though I believe violent resistance and subversion are rarely, if ever, necessary or expedient. But, in my view, civil government is, properly speaking, only the *subordinate department of government*. The people are subject to a higher law than that of the civil government,—to a higher sovereign than the state. When this higher sovereign,—the real sovereign,—of which the state is but the minister, commands, it is our duty to resist the civil ruler, and to overthrow, if need be, the civil government. This higher sovereign is, as we have seen, the will of God, represented, in the department superior to the state, by the CHURCH. It belongs to the church, then, as the representative of the highest authority on earth, to determine when resistance is proper, and to prescribe its forms, and its extent. When this commands it is our duty to obey.

But suppose, as in Protestant countries, the church has been perverted to a function of the state, or that it has itself become corrupt and oppressive, as we contend was and is the case with the Catholic Church, and that there is no element of reform in the state on which you can seize to sanction your movement, what then will you do in order to get rid of bad government? NOTHING; for in such a case

nothing could be done. But, in return, you suppose an *un*supposable case, or at least a case not likely to occur. If, however, such a case should occur, no remedy could come from the people themselves. A more wisely governed people must redeem them by conquest; or Providence must send a lawgiver, especially commissioned to lead them forth from the bondage of Egypt to the promised land. A people in this case would have so little social virtue, be so destitute of all bonds of union, and acknowledge so few rules of collective action, that no attempt it could make at insurrection, would end otherwise than in disaster and total defeat. We see this in oriental populations, where insurrection sometimes changes the despot, never the despotism.

I know of only three cases in which insurrection, or rebellion, ever does, or ever can succeed. 1. Where the people rebelling has been a conquered people, and falls back on its national laws, customs, and usages, and under a descendant of one of its national chiefs, or under its national banner, strikes for its old nationality and independence. 2. When colonial populations, acting under the authority and ban of the colonial governments, declare themselves independent of the mother country. 3. Where the people act, under the sanction and at the command of their religion, through its, to them, authorized interpreters. Where one or another of the elements here implied, is wanting, the insurrectionary movement will amount to nothing. People will not fight, will not consent to kill or be killed except at the command of what is to them legitimate authority; at least this is true of the populations generally. The officer of state must lead them, or the minister of religion bless their cause. When God commands us to resist the civil ruler, we fear not to buckle on our armor; for we can say to the expostulations and threats of the tyrant—"Whether it is right to hearken unto men rather than unto God, judge ye?"

I see then, I own, no occasion to assert this boasted right, on the part of the people, of rebellion and revolution. In the only cases in which insurrectionary movements can be successful, they are authorized by other principles, and imply no right of the people themselves, to rebel against government. I will add, moreover, that as I extend my historical reading, and the deeper I penetrate into the principles of government and the laws of its operation, the more and more convinced am I, that resort to this alleged right of rebellion can never be justifiable, nor even necessary.

But I have, in point of fact, as yet only half answered the question, What is the part of the people in constituting and administering the government? The people are never to be regarded as the passive, but always as the active, agents in the constitution and administration of government. I have thus far spoken of only one mode of their activity. In attentively studying our constitution, we shall find, that it does not *of itself* secure all the legitimate ends of government. The most we can say of it is, that it is a guaranty against bad government. Its positive benefits depend on its administration. Its administrators are, with us, the great body of the people. Now, their administrative action will always be affected by their own wisdom and virtue. The civil government, as such, in no country is the only *directive* power, essential even to secure the ends of civil government. There must be, beside the civil authority, a *moral* authority. This moral authority, organized is the church; but I will not now speak of it as organized. The main sphere of human activity, of popular action, if you will, in regard to government, is within the domain of this MORAL AUTHORITY, under which term I include all that belongs to general and private intelligence, all that comes within the scope of public or private morality. Now, the constant *moral* action of the administrators of government, whether these be the whole people or a few, is essential to guard government, even when you have the best possible constitution; and, under the worst, it will find the means of legally and peacefully introducing such changes, organic or administrative, as shall be necessary to secure social and individual freedom.

This moral force is after all the great matter. This may be constantly accumulating in the mass of the people, and in the heads of administration, and moulding all, in obedience to the will of God, for the better security of freedom. And here I find the sphere of the importance and influence of individual statesmen. The necessity, and the great public blessing, of enlightened and virtuous statesmen, we are too prone in this country to overlook. We have thought to elevate the mass, by reducing all to the level of the mass. A fatal mistake! The mass are too low, and need elevating. If not, what mean we by demanding individual and social progress? Is there already all the wisdom and virtue in the people, needed for the highest conceivable social state? If so, wherefore do we demand any thing better than we have?

Wisdom and virtue cannot be hid, nor can they, in any state, be passive. Just so much as you have in your community, just so much will show themselves in the public, as well as private, action of that community. Unless you have individuals wiser and more virtuous than the mass, you cannot add to the wisdom and virtue already possessed by the mass. In contending for the necessity of individual statesmen able to instruct the mass, to be their school-masters and chiefs, I am not warring against the mass, but contending for their elevation. Is it a misfortune to the people of this country that they have had a Washington, a Jefferson, a Madison, a Samuel Adams, a Patrick Henry,—not to speak of a Jackson, and a Calhoun? Has the superiority of these tended to depress the masses, to deprive them of their glory, and their rights? No: these men do lift the masses up from their degradation, and place them on a higher platform. Honor to the wise, the brave, the good! Blessed be God, that he does now and then send us a free and noble spirit, who gives us a higher conception of the capabilities of our race; in whose wisdom and virtue, enlarged intelligence, ardent patriotism, and all-enduring love of humanity, we find somewhat to which we can look up, or before which we can bow down and reverence. I would not feel in relation to every man I meet, "I am as good as you." In the darkness of life, and the uncertainty of my path through this wilderness, I want a guiding and directing mind, in whom I can confide, and feel that a wisdom superior to my own is directing me.

I believe as much in the capabilities of the masses, as do any of my brethren. I demand of them no blind reverence, no passive obedience to a distinguished few. I ask for them free and full scope for the manifestation of all the wisdom and virtue they have, and to acquire all that they are capable of acquiring; but I demand for them, men wiser and better than the general average, as the condition of enlarging the sum of their wisdom and virtue. My censures are not bestowed on them, but on the mischievous demagogues, who lay down the rule, that we must echo the opinion of the masses, instead of doing our best to form in them wise and just opinions. I demand scholars and statesmen, priests and moralists; but I demand that these scholars, statesmen, priests, and moralists fulfil their functions as *educators of the people*, that they seek for truth, and proclaim it, freely, boldly, conscientiously, whether it coincides with the pre-

vious convictions of the people or not. The wisdom of the people will be equal to the demands of good government, only on condition, that every man, according to the measure of his ability, from his own stand-point, wherever it may be, throws the highest wisdom he can command into the mass, to enlarge the general average. If this is aristocracy, so be it. If for this I am to be denounced by my countrymen, as an enemy of our institutions, and as a contemner of the people, so be it; it will only prove, that my estimate of popular intelligence and virtue is none too low, and that in calling upon moralists, divines, scholars, and statesmen, to seek to enlarge the moral power and intelligence of the whole people, I am not performing a work of supererogation.

Every country demands enlightened, virtuous, and patriotic statesmen, and there is no country having these, that cannot, through these, obtain all the reforms needed. I say *through these*, for the whole history of our race proves, that nothing great or good can be obtained without sacrifice; and peoples, or communities, can be made self-sacrificing rarely, if ever. Our appeals must be made not directly to the masses in their collective capacity, but to individuals, and first and foremost to the individuals, whose elevated position and commanding genius enable them to operate powerfully on the masses. Individuals may be moved by appeals to duty. They may be wrought up to such a high pitch of enthusiasm for truth and justice, for religion, for country, for humanity, that they will sacrifice all to work out for us a higher social, and individual, good. Through these, placed at the head of the government, and guiding within constitutional limits its action, we can, if need be, reform the government itself, and continually enlarge its beneficent action. I may here say, that to one man chiefly, almost exclusively, who dared place himself in opposition to the majority of his countrymen, who scrupled not to sacrifice all the brightest prospects of the highest political advancement, and almost at the hazard of life, to resist the popular invasion of the constitution, it is that we owe the preservation of the constitution, and the liberty of this country; and when party animosities, and the wrath of defeated interests, shall have subsided, and the people come to understand the true nature of their institutions, they will see and acknowledge it; and they will place the South Carolina statesman, high, if not highest, on the lists of those, who have well served the republic.

Here, in this moral power, through statesmen constantly elevating the intelligence and virtue of the mass, and through the government itself, constantly improving its organization, where needed, and perfecting its administration, is my chief hope; and in this I see a remedial power, that, in the worst of times may save us from a resort to violence, to the alleged popular right of rebellion and revolution. I take, for example, the government of Great Britain. I am no eulogist of the British constitution; I am too much of an Irishman to eulogize any thing Saxon or English, if I can help it. This government is terribly corrupt and oppressive. The people under it are overwhelmed with taxes, and only one-twelfth of the proceeds of labor, I am told, is secured, upon an average, to the laborer. Yet all the changes, organic or administrative, needed to make this the wisest and best of governments, are attainable, without revolution, if we only suppose a requisite degree of wisdom and virtue in the individuals placed at its head. Suppose these, and you can *legally* enlarge the popular basis of the house of commons, convert the house of lords into an American senate, and divest the crown of its undue patronage. Now, bring the moral power to bear directly on these individuals, and you force them to make the reforms needed. And you will sooner secure them in this way, than in any other. The same remark will hold good in any other country we may select.

It is, then, after all, the exercise of this *moral power* of the people, constantly accumulating, that is the real and efficient part of the people in constituting and administering the government. My hopes of good government, of progress in its organization and administration, rest on this; and I venture to lay down the rule, that it is only such reforms as we can in this way carry, or force through existing political order, by the constituted authorities themselves, that we should ever attempt. These will be all that can, in any country, be successfully attempted; and in all countries these may be carried just in proportion as the virtue and intelligence brought to bear on government, become sufficient to sustain them when carried.

I have now concluded what I have thought proper to say on the general principles and constitution of government. Yet after all, I have, as I promised, given only bare hints, and detached observations. I leave the discussion very incomplete; and on many important points, I feel that I have

not only not done justice to the subject, but not even to my own thought. I have opened a great subject, and run over a broad field, and all too hastily to satisfy either myself or my readers. I have not given, nor have I attempted to give, a regular treatise on government. If I was adequate to the task, which I am not, it is not in the necessarily hasty and crude essays in a magazine, prepared amid a multiplicity of other engagements, and while the printer is calling for copy, that I could perform it. I pray my readers to take the essays for what they are,—hints and suggestions on a great and vital subject. If they lead to some correct conclusions, excite to a more thorough examination of the subject, than has hitherto been generally made by our politicians, and thus contribute to a better understanding of our institutions, and to a graver and juster popular action under them, the purpose for which I have written will be answered.

In conclusion, I have to thank the conductor of this journal for permitting me to utter through his pages, doctrines and opinions so widely diverse from his own, and those of many of his friends and subscribers. High considerations of duty, which I, in common with every thinking man, owe to the public,—that of telling freely and unreservedly my best and deepest convictions,—have caused me to avail myself of a liberality, which I would, for no personal reasons whatever, have so severely taxed. I deeply regret that any of the friends of the journal, should have testified their displeasure at my views, by withdrawing their subscriptions; but I doubt not, that many among the thousands of my countrymen, who welcome the publication of these views, will lose no time in indemnifying the losses of the publisher, a hundred-fold. Perhaps the day will come, when the very men, who now testify their displeasure at my speculations, will own, that I have spoken a true word, and spoken it seasonably. At any rate, I have aimed to do my duty, and shall wait cheerfully the result.

ORIGIN AND CONSTITUTION OF GOVERNMENT.*

[From Brownson's Quarterly Review for April, 1844.]

The article we here refer to, in the *Democratic Review*, was called forth by some essays, which we had previously contributed to that journal, on the "Origin and Ground of Government." It is written with considerable smartness, and contains one or two very clever hits; but is, in our judgment, somewhat too light and sketchy for the very great gravity and interest of the questions involved. Its tone and general style of argument are not quite compatible with the dignity of philosophical discussion, nor exactly what we had a right to expect from a professed personal and political friend. But, happily, the question at issue is not of a personal nature, and there is no necessity of inquiring, whether we or the editor of the *Democratic Review*, is the better man, the warmer friend of liberty, the more consistent republican, the more skilful dialectician, or the better able to turn aside the point of an argument by vehement declamation, a vulgar appeal, a biting sarcasm, or a witty retort. Matters of this kind, however decided, could not tend much to the public edification, nor to the general advancement of political science. The real question at issue is one of grave and abiding interest; it concerns the truth or falsity of a great and influential political doctrine, and can be worthily discussed only when we bring to its discussion our purest affections, our honestest motives, and our best reason.

The question, to which we at present confine our remarks, concerns the truth or falsity of the democratic theory as expounded by the *Democratic Review*. We enter now into no defence of our own doctrine, for, as yet, the reviewer has offered nothing against it. The objections he has urged, we had ourselves suggested, and answered; and, till the answers we gave are invalidated, nothing more needs to be said. The reviewer has done nothing but to show, that our theory of government contradicts his; and his, therefore, is the theory to be examined. Is the reviewer's own doctrine worthy to be adopted? This is the question.

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* *The Democratic Review*. New York: December, 1843.

Before proceeding to the direct consideration of this question, we must pray our readers to understand distinctly our position. We may be easily misinterpreted, and misrepresented; and, by a little play on the ambiguity of terms, be made to appear to oppose what we do not oppose, and to advocate what we do not advocate. We say distinctly, that in questioning, as we shall soon proceed to do, the truth and sufficiency of democracy, *as expounded by the Democratic Review*, we are *not* questioning the doctrine and measures of the Republican party; we do *not* deny the right, or the capacity, of the people to administer the government under and through constitutional and legal forms; we do *not* oppose the actually existing political order of this country; but, simply, a new and dangerous interpretation of our institutions, which, if once fully adopted, and acted upon, cannot fail to prove their destruction. We will regard as unwarrantable misrepresentation, and slander even, any repetition of the charge, which has been recently so often made against us, that we intentionally, or by implication, advocate the necessity, or the right, of kings, of nobilities, or of any man, or any set of men, by whatever name called, to rule over the people. We plant ourselves on the institutions of our country; we accept them as they are: we bring in no new doctrine; but we resist with all our energy a mischievous innovation, which is attempted to be brought in by others. This is our position; and we have a right to demand that it be regarded.

What is this innovation, *the* democracy, for which the *Democratic Review* contends, and which we oppose? This is not easily answered, for the reviewer does not abound in clear, distinct, and compact statements. Nevertheless, aided by his notes, appended to some previous articles of ours, we can answer with tolerable certainty. In his review for December last, he says; "The people are the rightful human source and foundation of governmental authority." The little word *human*, was probably thrown in to round the period, for the reviewer's purpose, since he was opposing us, was to assert the absolutely *human* origin and foundation of governmental authority. If he had meant merely to say, that the people are the rightful *human* source and foundation of governmental authority, that is, that all legitimate power in the state, is, *under God*, derived from the people, he would only have asserted our own doctrine, for which he was holding us up to public indignation, and

murdering us with his terrible *reductio ad absurdum.* He must, therefore have meant to assert, in plain language, the simple, absolute sovereignty of the people.

This is evident from what he had previously said, in a note appended to an article of ours, on Popular Government:

"Away with such cobweb subtleties and sophistications. The people —the actual numerical people—including, on terms of equal rights, all persons of reasonable maturity in years and the ordinary degree and completeness of mental competency to think and act for their own self-government,—the people themselves, in their own *native* might and right, are the *primary* and *fundamental* sovereignty. * * * *

"Our theory is very simple and plain; and safe enough, too, if Mr. Brownson would be a little less afraid of the people—and if he would consent to pardon their '*moment de vertige*' in 1840—it is, that the sovereignty *resides* in the people [the numerical people]—that sovereignty which made the constitution, and may unmake. If that people choose to come together, in their own way, *whether inside or outside the existing forms of law,* and to alter the constitution, it is to their will and their act that my loyalty is morally due, provided I am *bona fide* satisfied of the fact of the majority."

These quotations prove, that democracy, according to the *Democratic Review*, asserts government to be of purely human origin and foundation, and that the people themselves are, in their own *native* might and right, the primary and fundamental sovereignty. Now we assert in opposition, 1. That democracy, *so defined*, is tantamount to no government; 2. That if it be a government, it is a government that has no *right* to govern; and, 3. That, even waiving the question of its right to govern, it cannot answer the practical ends of wise and just government.

1. Government, of some sort, we assume to be necessary. The question is not, government or no government; but, the sort of government that is to be instituted, or sustained.

2. Government, to be government, must govern; and, therefore, a government which does not govern, is no government.

3. The government must not only govern, but have the *right* to govern; not only be government, but *legitimate* government.

4. The government, if it have the right to govern, necessarily carries along with it the *duty* of the subject to obey.

These postulates all parties must accept, and democracy must fulfil all the conditions here implied, or be abandoned as indefensible. We proceed now to the question.

I. Democracy is tantamount to no government. Let no one, we say again, misinterpret us, and accuse us of opposing, under the name of democracy, what we do not oppose. The word, *democracy*, is used in more senses than one. Let us begin, then, by recognizing and defining these several senses, and determining the exact sense in which we oppose it.

1. Democracy is the sovereignty of the people; this is the sense in which we suppose the *Democratic Review* understands it.

2. The word, *democracy*, is sometimes used, especially by those of our scholars who have been educated abroad, to designate the mass of the people, the great unprivileged many, as distinguished from the privileged few; as when we say, the administration of the government should be in the hands of the *democracy*.

3. It is used indifferently to designate either the doctrines and measures of the Democratic party, or the members of the party themselves.

4. It is used to designate the doctrine which teaches that all governments rightfully exist, and are to be administered, only for the common good of the whole people, especially for the protection and elevation of the poorer and more numerous classes. In this sense, it designates the *end* of government, rather than its *form;* this is the sense, in which we have uniformly used it, when we have called ourselves a democrat; and in this sense,—the only sense in which we have ever professed democracy,—we are as democratic as ever we were. It was in this sense we used the word, when we defined democracy to be the "Supremacy of man over his accidents," and when we wrote and lectured on "The Democracy of Christianity," endeavouring to show that democracy, rightly understood, is nothing but the application to our social and political relations of the great principles of the Gospel.

The reviewer sneers at us for making nice distinctions; and yet, just and accurate distinctions, not of words, merely, but of things, are indispensable, if we would speak or write intelligibly, and not make confusion worse confounded. These distinctions in regard to the word, *democracy*, and the several senses in which it is used, are very necessary to

be observed; for a man may be a democrat in one of these senses, and not in the others, and much may be true of one, which could not be legitimately affirmed of another of them. In this discussion, as in all our recent writings, we use the word, *democracy*, in the first sense named, and mean by it, that political order which is founded on the principle of the sovereignty of the people, regarded not merely as the administrators, but as the source and ground, of government.

But here, at the risk of another of our friend's withering sneers, we must make a still further distinction. The sovereignty of the people may be taken, 1. NEGATIVELY, as the denial of the king, the nobility, or the right of any one man, or any set of men, caste, or class, to rule over the people; or, 2. POSITIVELY, as the assertion of the absolute right of the people to govern, of their native, inherent, underived sovereignty. The first is the sense in which the people of this country generally understand popular sovereignty, as is evinced by the fact, that they take our denial of popular sovereignty to be the assertion of the right, or necessity, of some one man, or a certain set of men, class, or caste, to rule over the people. But, in this negative sense, which denies all *human* authority above the people, we accept popular sovereignty with all our heart. We deny popular sovereignty only in the second, the *positive* sense. This distinction is important, as we showed at large in the essay on *Democracy*. We pray our readers to remember it, and not to accuse us of asserting the necessity of some *human* power to rule over the people.

Let us, then, be distinctly understood. Our controversy with democracy is not when it denies the right of the one or the few to rule over the people, but simply, when it founds the state on *population* alone, and makes the people the primary and fundamental sovereignty, the *source* and *foundation* of all legitimate authority. This is *the* democracy of the *Democratic Review*, and which we maintain to be tantamount to no government at all.

We begin by demanding of the reviewer a definition of what he means by "the people." He answers, in his review, "the numerical people, including, on terms of equal rights, all persons of reasonable maturity in years and the ordinary degree and completeness of mental competency to think and act for their own individual self-government." But this is not enough. Does he mean to embrace all the

inhabitants of the globe, and to assert that it is only to the decision of the majority of the whole his loyalty is morally due? Of course not. His numerical people are not all the inhabitants of the globe. Then they must be the inhabitants of a certain portion of the globe, that is, of a given territory. But here is a difficulty. What marks and defines the territory, the majority of whose inhabitants "are, in their own native might and right, the primary and fundamental sovereignty"? Is the territory undefinable? If so, how will he be able to tell how many are necessary to constitute a majority? Nor is this all. Before the people have acted, and established the rule by which it may be determined who have the proper maturity in years, and the requisite degree of mental competency, how will it be possible to tell who are the political people, and who not? We hope the reviewer will not, with proud disdain, exclaim, in view of these questions, "Away with such cobweb subtleties and sophistications," for they are to us serious questions, and we are very anxious to have them answered.

But our difficulties increase. If he says the numerical people are not all the inhabitants of the globe, but of a certain definite territory, he abandons his doctrine of popular sovereignty, by transferring the sovereignty from the people to the territory, and making the people sovereign, not because they are *people*, but because they are inhabitants of a sovereign territory.

Nor will he, in this case, be obliged merely to abandon popular sovereignty for territorial sovereignty, but he must abandon even this last for an authority more ultimate than territory. The territory can be a sovereign territory, only by virtue of a competent authority which marks and defines it. This authority cannot be the people, for till it has acted, and, through territory, marked and defined them, the people do not exist. It must be, then, an authority independent of both people and territory. Be it what it may, without it there can be no sovereign people, and with it none, because then, not they, but *it* is the sovereign,—at least, the source and foundation of the sovereignty.

Who, then, are the people, of the majority of whom the reviewer predicates his native, underived sovereignty? There are many distinct peoples on the globe, as the American, the English, French, German, Italian, &c. Now, when he predicates sovereignty of the people, is it of the people in the sense of one of these distinct, so to speak, individual,

peoples? But this people exists *already* as a unity, as *one* people, as an individuality. He has, then, no right to take the people in this sense; for the people so existing are not in the state of a *primary* sovereignty. There must have been something, by virtue of which they were made *one* people; and *that*, the moment it is assumed, becomes the origin and ground of their sovereignty, and they can, at best, possess only a *derived* sovereignty, not a primary and fundamental sovereignty. The answer, then, that the sovereign people are one of these peoples, would not suffice for the reviewer's doctrine.

To meet the demands of his own doctrine, the reviewer has no resort but that of predicating sovereignty of the people, regarded merely as population, or more strictly, as persons, and of holding persons to be sovereign by right of their own manhood. Will he take this ground? We presume he will, and very cheerfully. But persons carry their personality, their manhood, with them, always and everywhere. Then he must assume them to be sovereign, in their own native might and right, *irrespective of time and place.* In this case, the sovereignty is not a *national* right, but a *personal* right, and to be predicated of no definite number of persons. The state, then, must be composed of any number of individuals who choose to come together; and the majority of these,—be the number larger or smaller,—will have, according to the reviewer's theory, the right to make such laws as they please. What, then, but their own voluntary act, binds any portion of these persons to the state? Nothing, of course. The right of expatriation must, therefore, be regarded as perfect, unlimited; and as the *country* is not the territory, but the association of persons, expatriation can only mean withdrawing from the association. Then, what is to prevent any number of individuals from seceding from the state, and forming themselves into a new state, whenever they choose? Admit this, and there is an end of government. The state is resolved into a mere *voluntary* association of individuals, who, of course, are, and can be, bound to continue associates no longer than suits their interest, convenience, or caprice. The members who should incur the penalty of the laws of the association would, doubtless, find it for their interest to escape the penalty; and all they would need to do, would be to secede from the state, resolve themselves into a new sovereign state, and thus place themselves beyond the reach of the laws they had violated.

"But not if they continued to reside on the same territory." But this answer is precluded; for the moment we begin to talk of territory, we are out of democracy, and are predicating sovereignty of the territory, not of the persons. We are now reasoning on the hypothesis that sovereignty inheres in the people as persons, irrespective of time and place. We predicate it, then, of the people as an indefinite number of persons, not of the inhabitants of a sovereign territory; nor of the people organized, or constituted, into one people, a nation. Consequently, any number of persons, large enough to admit of the distinction of majority and minority, that is to say, any *three* persons, may, at any time, and in any place, where they chance to be, form themselves into a voluntary association, and claim and exercise all the attributes of sovereignty. Any three persons may, then, at any time, and in any place, secede from the association, and declare themselves a new sovereign state, and thus set the laws they may have broken at defiance. Can any thing worthy of the name of government coexist with the practical assertion of such a doctrine as this?

But our difficulties do not end even here. The reviewer, if he assumes the state to be merely a voluntary association of persons, must abandon even his doctrine of popular sovereignty. The state, if a voluntary association, can have no rights, and, therefore, no sovereignty, but the sum of the rights ceded to it by the individual members. It has, then, and can have, no inherent sovereignty, no native, underived right to command. The people, politically considered, are not, then, the primary and fundamental sovereignty; for their authority is not inherent in them, but *derived* from the individuals composing the association. There could be, in this case, no sovereign *people*, but merely sovereign *persons.*

According to the *Democratic Review*, all men, touching their rights, are equal one to another. All, then, are equally sovereigns. One, then, can have no inherent right to govern another. Their relations to one another are those of sovereign states,—each is independent of the other. The whole cannot transcend the sum of the parts; and since there is in the parts no authority to govern one another, it follows, necessarily, that there can be no authority in the whole to govern the parts, or the individual members. Consequently, there is, if we assume the state to be a voluntary association of persons, equal one to the other, no rightful authority in the community to govern at all.

The exigencies of the reviewer's theory compel him to define the state to be a voluntary association of individuals. All his arguments against us rest for their validity on the hypothesis, that the state is a voluntary association. If he does not adopt this hypothesis, why does he contend, in opposition to our doctrine, that suffrage and eligibility are not matters of municipal regulation, but natural rights,—rights which we hold by virtue of our manhood? Does he not himself define liberty to be the admission and guaranty in the case of every man, if he be a man, of his native, inherent right to be an equal member of the state? Can he conceive it possible for liberty to coexist with the absence of universal suffrage and eligibility, and not because they are its indispensable conditions, but because they are it? What means all this, if not that the state should be, and that every free state is, the free, voluntary association of individuals? Does he not hold, that the assent of the governed, or of a major part of them, is the origin and foundation of the legitimacy of government? Does he not also hold, that this assent should be free, voluntary; for a forced assent is no assent at all? Most certainly; for this, if we understand it, is his very theory of government. The authority of the people does not vest in them as a political unity, but in the people as individuals, as persons, and the political unity or state is the free, voluntary creation of the people as persons, coming together in their own way, and in such time and place as they please. Do we not state his doctrine correctly? If so, the state is, and can be, nothing but a voluntary association of individuals. Where, then, is the sovereign people? Where is the authority to *govern?*

Will the reviewer say, that it is the *assent* of the individuals composing the association? This is the only answer he can give; but this answer virtually denies all government. Government that does not govern is not government. Government is, and must be, *authority exercised over subjects.* It is either this or nothing. So far as the individual has a right to resist its action, or so far as it must depend on the will of the individual for its authority, it is a perversion of language, as well as of common sense, to call it, in relation to that individual, government. When the state may exercise no authority over individuals, but by their assent, the authority exercised is not the authority of the state, but of the individuals whose assent is necessary. But the indi-

vidual over whom no authority may be exercised but his own, is not under government, and can, in no sense, be said to be governed at all. What other definition could be given of no government? How would you describe a man not subject to any government at all, but by saying, he is one who is subject to no authority but that of his own will?

Here, then, is the conclusion to which we must come. If we deny the existence of an authority outside of the voluntary association, to mark and define the people as a political individual, we must assume the state to be a voluntary association of persons; if we define it to be a voluntary association of persons, we allow it no authority to govern but what is derived from the voluntary assent of the individual members; and individuals who can be subjected to no authority but their own will, are free of all government. Are we not right, then, in declaring the reviewer's doctrine to be tantamount to no government?

II. We proceed now to consider our second proposition, namely: But democracy, admitting it to be a government, IS NOT A GOVERNMENT THAT HAS THE RIGHT TO GOVERN.

We have already virtually established this proposition; but it may be well to consider it yet further. The question concerns not the mode or medium adopted for the administration of government, nor the agents selected by authority for administering its practical affairs, whether in the legislative, judicial, or executive department thereof, but the government itself, the authority which governs; that is to say, the SOVEREIGN. Find the sovereign, and you find what we mean, in this discussion, by government. The right of democratic government depends on the fact, whether the people are or are not the sovereign. Establish the sovereignty of the people, in the positive sense, and you have established the legitimacy of democratic government. Are the people sovereign? This is the point to be considered.

Sovereignty is that which is highest, that which not only governs, but which has the *right* to govern. The sovereign has the inherent right to command; therefore, whatever he commands is right. The sovereign can do no wrong. His will is, necessarily, the origin and ground of right. The only possible definition of right is, that which the sovereign wills, or commands. Right and law are, in this sense, coincident. What is law? That which the sovereign ordains. What is not ordained by the sovereign is not law.

Now, if the people are, in their own native might and right, the primary and fundamental sovereignty, then, they have the inherent right to command, and, whatever they command, is law; therefore, right; and therefore, binding *in foro conscientiæ*. Will the reviewer assert this? Is he prepared to take the ground, that the people can do no wrong, and that whatever they do is right, and right, simply because they do it? No, for he himself says, "Collectively, as individually, the people both can do, and often have done, and will often continue to do, very wrong—very foolishly, aye, very *wickedly* wrong." If he is right in this assertion, as he unquestionably is, he denies the will of the people to be the *source* and *foundation* of right; and even more than this, he denies that it is the exact and infallible *expression* of right. Then he himself denies, in as plain terms as can be used, his own assertion, that "the people are the primary and fundamental sovereignty."

But the reviewer will probably say, that he never intended to assert the *moral* sovereignty of the people, that what they will must necessarily be binding in morals. All he meant to assert was, the *political* sovereignty of the people. Very well; can that which is morally wrong be politically right? To maintain the affirmative is to divorce politics from ethics, and to contend that the politician is free from all moral obligation. This, though asserted, practically, by most politicians, the reviewer will hardly maintain in principle. But if not, if he so far conforms to the sublime teachings of the Gospel as to admit that "we should hearken unto God, rather than unto men," he abandons popular sovereignty in the sense he contends for it, brings the people themselves under law, and makes them collectively, as well as individually, amenable to a sovereignty above their own. The will of the people, then, is not sovereign in its own right, and has the right to prevail only so far as it conforms to the law to which the people themselves are subject. Where, now, is the doctrine, that the people, in their own native might and right, are themselves the primary and fundamental sovereignty? Is there no necessity of going behind the people to find that, by virtue of which, their will may become law, their rule legitimate?*

* We may press this point further. One of our postulates is, that the *right* to command carries along with it the *duty* of the subject to obey. According to the reviewer's own admission, the right to command is imited, for the people may, and do, do wrong. But they have no right

The reviewer made himself quite merry with us, and was quite witty about the elephant and tortoise. He says, that we rest the world on the state, that is the elephant; the state on the church, that is the tortoise. But on what does the church rest? Will he forgive us if we retort his merriment? He rests the world on the state, that is the elephant; the state on the will of the people, that is the tortoise. But on what does the will of the people rest; that is, what is the foundation of the right of the popular will to govern? The *reductio ad absurdum* is, no doubt, an effective weapon, but the reviewer should not forget, that, in unskillful hands, it is apt to raise the laugh—in the wrong direction. It did not occur to our friend, in his merriment, and amid the ludicrous images with which his exuberant fancy teemed, that, to his question, on what does the church rest, we might, possibly, give a very satisfactory answer, namely; THE CHURCH RESTS ON GOD,—the Rock of Ages. It was founded by God's own Son, who is its support, its head, its life, its informing spirit, making it, by his presence, itself "the ground and pillar of truth." Is not this a sufficient support? Alas! they are poor triumphs, which are gained by sneers at the church of God!

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to command that which is wrong, unless he is prepared to swallow the absurdity, to call it by no worse a name, that it may sometimes be right to do wrong. Now, when the people command, or will, that which is wrong, what is the duty of the subject? Am I then bound to obey? If so, I may be bound in morals to do what is wrong in morals! Surely, the reviewer should be chary of the *reductio ad absurdum*. Has he settled his doctrine of ethics? Will he tell us what is the *foundation* of right? Also, what is, for states and for individuals, the *criterion* of right? What are his solutions of these ethical problems? Does he hold himself able, before solving the ethical problems, to solve the political problems? Which are highest? Does he found his politics on his ethics? Or, with Hobbes, his ethics on his politics? Will he pardon us, if we suggest to him, that these are grave questions, and may, possibly, deserve more serious, as well as more patient and profound meditation, than he appears to have bestowed upon them? May not his deference to the "common mind," his horror of scholastic subtlety and scholastic distinctions, and his wish not to exceed, in what he advances, the reach of the "common intelligence," have kept even himself a little too near the surface of things? It may be *democratic*, but not always wise, to resolve never to think more clearly, more deeply, or more justly, than the multitude.

The reviewer says, "Give us *self*-reliance, *self*-development,—freedom—yes, freedom to make mistakes, if you please, but then also to mend them; to reach the 'kingdom of heaven' *in our own way*." Here is the quintessence of modern infidelity. The reviewer, no doubt, felt, that, in writing this sentence, he was uttering a noble sentiment, and the lessons of profoundest wisdom. To a man who has really come to believe

But on what does the reviewer's own tortoise stand? Where is, on his theory, the "Jupiter's hand," by which to hang the chain that sustains the world? The people are not supreme; their will, therefore, cannot be ultimate; then, their sovereignty is not native, underived; then, we must go beyond them, in order to find that on which their sovereignty is founded, and which gives to their acts the character of law. You deny that this which legitimates their acts, is the will of God; you sneer at us and talk of the *reductio ad absurdum*, when we say, that no government has, or can have, the right to govern, save as that right is communicated to it by the supreme being, the rightful Governor of the universe, King of kings, and Lord of lords, to whom kings, potentates, peoples, and individuals alike owe allegiance; and yet, you dare not boldly avow the inevitable consequences of your own doctrine, and you yourself really deny the sovereignty of the people, by admitting they both can do, and actually do, do wrong. Do, then, tell us, on what rests the right of their will to govern?

The reviewer's doctrine, the moment it is so construed as

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in religion, it is painful to see how completely infidel has become modern politics, as well as modern philosophy. The highest agency recognized is man, and all is looked for from man, from man's own inherent nobleness and *divinity*. The reliance is on *self*. *Self*-reliance! heaven itself to be gained *in our own way*, by our own *self*-development! How completely does this set at naught the whole teachings of the word of God! In that, we are taught, that our reliance should be on God, not on an arm of flesh, and that it is through providence and grace, not through the *arachneism*, if we may coin a word, of *self*-development, that we attain to the stature of perfect men in Christ Jesus. Then, again, as to reaching heaven in *our own way*,—how completely does this set aside Jesus, who declares himself to be the *way*, the truth, and the life! He is the door; whoever enters in by any other way is a thief and a robber. Alas! it is this very disposition to go our own way, instead of God's way, that causes all the moral, and no small portion of the physical, evils of this world. How are we deceived! "Ye shall not surely die, but ye shall be as gods." So the age seems to believe in very sooth; and so sets aside the law of God, follows its own instincts, relies on itself, scorns the tree of life, and with a bold and confident hand, reaches forth and plucks the fruit of the tree of the knowledge of good and evil. All society feels the wound, and groans in the agony of death. Moral disease and social dissolution threaten us on either hand, and still we exclaim, "Give us self-reliance, self-development, and freedom to go to heaven in our own way." Alas! my friend, our own way, man's own way, never yet led to the kingdom of heaven. If you would serve the people, and ransom them from sin and slavery, you must begin by serving your Maker, and making him, not human self, that on which you rely.

to admit of government at all, denies all individual freedom, and reasserts the worst features of ancient democracy. The grand defect of ancient democracy was, its assertion of the absolute supremacy of the state, and its denial of all personal freedom. Under that democracy, the city was supreme, and man had no rights, political, civil, or personal, till conferred by the city. Even the right to reside and transact business within its limits, was a grant, a privilege, that might be conferred or withheld at the pleasure of the city. The inherent duty of government to maintain the freedom of all the inhabitants of the territory under its jurisdiction, and to labor for the promotion of the well-being of all, was nowhere recognized. The man existed for the city, not the city for the man. The reviewer's doctrine, if understood to assert the native, underived sovereignty of the people as a political individuality, goes the whole length of this. It makes the state supreme, and its will, *in all cases*, the ground and measure of right. The individual man has no right but the duty of obedience. If the state reduces the great mass to absolute servitude, it does only what it has the right to do. If it can only get a law enacted, it has the right to enact it, and, therefore, to enforce it, let it strike individual or personal freedom as it may.

The absolute duty of man to obey the sovereign authority, we, of course, assert; that man, before the supreme, has no rights but submission, we of course contend; but solely because absolute submission to the supreme will, or the sovereign authority, is freedom, and the only intelligible definition of freedom that it is possible to give. But the moment this submission is demanded by an authority not sovereign *in its own right*, beyond the limits prescribed by the higher sovereignty from which it is derived,—the moment this obedience is enjoined by an authority which *may* err, and which often does err, it becomes not freedom but slavery. Now, as the authority of the people is not the highest, as the state may and often does enjoin what is wrong, to assert the native, underived sovereignty of the people, as the government, is to deny to the individual all right to protection against wrong, and, therefore, is to assert slavery, not freedom.

We object to the reviewer's doctrine, not only in the name of ethics, and in that of personal freedom, but also in the sacred name of religion. To assert that the people, "in their own native might and right, are the primary and

fundamental sovereignty," is to transfer to them all the attributes of the divine sovereignty itself. Either the people are supreme, or they are not. If they are the fundamental sovereignty, they are supreme. If they are supreme, if it is not lawful to seek out of them, and above them, that which is the source and foundation of their authority, then is the supremacy denied to God; and, instead of the people's owing allegiance to God, he, in strictness, owes allegiance to them, or, rather, *they are themselves God.* This is to put the creature in the place of the Creator, which is the essence of idolatry. There can be but one supreme. To that one supreme, the real sovereign, all allegiance is due, and to that only. Is this supreme the people? Or is it the people's Maker? Is the reviewer aware of what he is doing? If God is, as none of us dare deny, the supreme, then he is the only sovereign; then the people can have no right, no authority, to govern, not derived from him. To assert, then, that the people, in their own native might and right, are the primary and fundamental sovereignty, is, if there be meaning in language, high treason against God! We pray the reviewer, unless he would prove that democracy is, as its enemies have always alleged, absolute infidelity, and that it is his own wish to be classed among infidels, not again to undertake to hold us up to the indignation of his readers, for asserting that the people, both individually and collectively, are under law, owe allegiance to a higher than themselves, and, therefore, no government, not founded in the will of God, is, or can be, legitimate. It is unpleasant, no doubt, to be denounced in the name of the Sovereign People; but to a religious mind, to a real believer in the Gospel of our Lord, it is something far more unpleasant, to hear a mightier than a human voice denouncing us in the name of the Sovereign God, before whom "every knee shall bow, and every tongue confess." May we ask the reviewer to reëxamine his doctrine of popular sovereignty, and see if, in his zeal for the people, he has not forgotten his God?

III. But we must hasten to our third and last proposition, namely: waiving the question of abstract right, Democracy cannot answer the practical ends of wise and just government.

We repeat, that we do not, under the name of *democracy*, object to that form of government which places, under constitutional and legal forms, the administration of the gov-

ernment in the hands of the people themselves. In this sense, we are ourselves the strenuous advocates for popular government. In the great movement, which has been going on for these five hundred years in favor of popular power, *as opposed to that of kings, nobles, classes, or castes*, we are on the side of the people, where, we trust, all true American citizens are to be found. We go still further, and declare, as our settled conviction, that the popular will is the only will, *under God*, which should prevail in the state. It is only by intrusting the administration of the government, in all its departments, to the people themselves, and to such agents as they choose to select or appoint, that we can infuse into its action the necessary energy and mobility. In a world like ours, where all changes under the very eye of the spectator, mobility in legislation is not less essential than stability. The law of all government, like that of man himself, like that of the universe of which man is a part, is Stability in Progress. The practical realization of this law is the political problem; and, however diverse may be its solutions in different countries, the least inadequate solution will be found to be that which draws the most liberally on the popular element, and organizes the government so that it may, at all times, feel and respond to the wants and wisdom of the great mass of the people.

But, while contending for all this, we deny that placing the administration of the government in the hands of the people, can, of itself, secure the practical ends of government. Government does not exist for its own sake, but as the means of securing a given end. This end, in general terms, is the good of the governed. The chief element of this good is freedom; for, though freedom may not, of itself, embrace every good, it is that, without which, no good is possible, or conceivable. The chief end of government, that for which alone it exists, and has the right to be at all, so far as we have occasion now to consider it, is the maintenance of freedom.

By freedom, regarded as the end of government, we understand the *ability* of every man to discharge, without other let or hindrance than his own moral delinquency, his special functions as a human being. All men have the equal right to be men, and each man has the equal right to be *the* man his Maker designed him to be. The maintenance of this equal right, is what we understand by the maintenance of freedom. But this must be maintained in fact,

not in name only. We are out of the age of shams, make-believes, conceptualisms, and nominalisms, on our return to realism. The practical maintenance of this freedom, is the maintenance to each of equal ability to attain to his true end as a man; for I am free to do only that which I have the ability to do. I am free no further than I am *able*, and I am *able* so far as I am *free*. But by equal *ability*, we mean equal only in relation to the special functions of each. I do not ask to be made the equal of my brother, but to have maintained to me in relation to the special functions assigned me by my Maker, ability equal to that which is maintained to him in relation to his special functions. I have the same right to be what God designed me to be, that another has to be what God designed him to be,—the same right to be myself, that he has to be himself. I do not ask to be another, nor that another should be what I am. God made men with diverse and unequal functions, so that each should be the exponent of a special phase of humanity; and each one has the right to be this exponent; and it is the duty of the government to maintain to each one the *ability* to be it.

Now, the simple question before us is, Does or can democracy maintain to each and every man this ability? Democracy has for its expression Universal Suffrage and Eligibility, or, in other words, it asserts the right of every man, who is a man, to vote, and to be voted for. This is only asserting, in other words still, the equal right of each and every man to take part in the administration of government, which, in the last analysis, is simply the equal right of each and every man to govern. Now, assume that democracy secures to each and every man this right, does it follow, that it secures *freedom* in the sense we have defined it? This right or liberty to govern, is not the freedom to perform one's special functions as a man, unless we assume that the end of man is to govern; which, in principle, would imply that government exists for its own sake, and not for the good of the governed. Freedom to govern is not the end, and is and can be valuable only so far as it is a means to an end. Here is the mistake of the reviewer. He confounds freedom to govern, with freedom to fulfil one's destiny as a man; whereas, the most he can say is, that the former is the necessary condition of the latter.

Democracy secures, at best, only equal ability to govern. But the equal ability of each and every man to govern, is

the equivalent of the equal ability of each and every man *not* to be governed. The utmost of the freedom the reviewer contends for, then, is simply the freedom of each and every man not to be governed by others; or, in other words, freedom to defend himself against the freedom of others. This is something, though by no means all, that we demand of government; but this, which, if men were just, would be, in the strictest sense of the word, no government at all, is more than democracy does, or can, secure. In order to secure it, democracy demands that man, always and everywhere, and in all respects, internally and externally, be the exact counterpoise of man. For democracy adds nothing to any one's *natural* ability. It admits all into the state, and merely maintains to each one all his natural ability to protect himself. Now if men should chance to be unequal in their weight, and some should overbalance others, the equilibrium would be destroyed, and nothing would remain to prevent the stronger from oppressing the weaker, the cunning from circumventing the simple. But men are by no means equal, and man is never the exact measure of man. This fact alone refutes the pretensions of democracy. The chief necessity, under the point of view of maintaining freedom, of government at all, grows out of this very fact of the original and invincible inequality of men, in their moral, intellectual, and physical powers; and the duty of government is, not merely to maintain to each man the full measure of his *natural* ability, but to be itself wisdom to the simple, and strength to the weak, so that, by its providential intervention, it may establish and maintain the equilibrium which nature does not establish, but tends unceasingly to destroy.

Here is the condemnation of the absurd theory of free trade, advocated by the late lamented William Leggett. We admired the bold, earnest, energetic essays of Mr. Legget, but we opposed his visionary theories at the time they were published; and, while we applauded his attacks on monopolies, the restrictive policy, and exclusive legislation in general, we recoiled with horror from his fundamental doctrine, which went the full length of denying the legitimacy of all government, and could have ended only in reducing every man to his native strength, or weakness, and there leaving him. Few men have done more than he to pervert the good sense of the Republican party, and to sap the foundations of all salutary government. He started

with the assumption, that every man is competent to protect himself, and wants nothing of government but to be let alone. Poor man! like our reviewer, he forgot the original inequality of men, and that the weak and simple need a providence in the shape of government, to protect them against the strong and cunning.

Nor are men only naturally unequal; they are artificially unequal, and their extrinsic means of influence are very different. Their possessions, the world over, are exceedingly unequal, and it is a well settled fact, that a man's power is always to be measured by what he *has*, rather than by what he *is*. Power always inclines to the side on which is the balance of property. That portion of the community which possesses or controls the balance of the property, is, as Harrington in his "Oceana" has well established, the ruling portion. He who has the mess of pottage, can command his brother's birthright, and compel the elder to serve the younger. The relation between the owners or holders of the property, and the owners of simple labor, is always and everywhere, by whatever name it goes, the relation of *masters* and *servants*. They who have not, always serve them who have; or, if they will not, are exterminated, as Cain exterminated his brother Abel. Here is the great and stubborn fact, which knocks in the head all your fine-spun democratic theorizing.

This fact is well established. In no country, in the ordinary course of things, have numbers without property ever availed against the few who possess property. Twenty or thirty thousand free Athenian citizens hold in servitude some four hundred thousand slaves. There have been numerous struggles between the rich and the poor, but there is no instance recorded in which the poor ever came off victorious. The plebeians maintained for a time a doubtful contest with the patricians of ancient Rome; but then the plebeians, taken as a body, were hardly inferior in wealth to the patricians themselves, and some of them were superior in the nobility of their families. But as soon as the senate opened itself and the equestrian order, to some four hundred of the wealthy and noble plebeians, and, by doing so, secured the permanent balance of property to its side, the contest became strictly one between the rich and the poor, in which the poor never gained a single advantage. The subsequent triumph of the plebeians, under Julius Cæsar and the empire, was not in their quality of the poor, but as com-

moners, recruited and enriched by the wealthy and influential provincials.

The partial success in the last century of the French *bourgeoisie*, and which has become complete since July, 1830, is owing to the fact, that the old court and noblesse had ceased to command the balance of property. The republic for which Robespierre so pertinaciously contended, after the Girondists had dethroned and decapitated the king, was sustained for a moment, only by the audacity of a feeble minority, and failed, because, in the general distribution of the property of France, the balance was never on its side. The English commonwealth failed, and gave way to the restoration of the Stuarts for the same reason, as soon as it lost the support of the military genius of Cromwell, and the religious enthusiasm of the Independents which had established it. In neither country would universal suffrage have availed any thing. Some one advised Cromwell to introduce it. "Introduce universal suffrage," said he, "and in twenty-four hours you will have the Stuarts back upon you." There probably never was, during the French republic, a moment, when the majority of the nation would not have voted for the Bourbons, and to-day, if the vote was put, five to one, we presume, would vote for the young Duke of Bordeaux. It was not Cromwell, who, by his protectorate, overthrew the English commonwealth; nor General Monk, that restored the Stuarts; but England herself. It was not Napoleon that overthrew the French republic, but France who had never fairly accepted it.

Some there are, among ourselves, and also among Englishmen, who are predicting the speedy overthrow of the English peerage; but that peerage was never in less danger, and at no moment, since the stout old Earl of Warwick, the "King-maker," has the English nobility held its power with a firmer grasp. If the house of lords were a close corporation, incapable of being recruited from the wealthy commoners, in a commercial nation like England, whose merchants are princes, the peerage might, indeed, be in some danger; but so long as every wealthy commoner may hope one day either to become a peer himself, or to make his eldest son a peer, however small the chance, it may count on having always the balance of wealth on its side.

It is now admitted by both Whigs and Tories, that the Reform bill has, contrary to the expectations of both friends and enemies, tended to extend and consolidate the power of

the landholders. We venture to tell the Complete Suffrage Union and the Chartists, that the success of their schemes will tend to the same result. The poor Chartists are seeking in a cold winter's night to warm themselves with moonshine. The secret ballot, for which English radicals are contending, will, if obtained, operate against them; for the tenantry have more fear of the radical leaders in their own ranks, than they have of the landlords, and are more disposed, if they can conceal it from their leaders, to vote for their landlords than they are to vote against them. It is worthy of remark, that the only member the Complete Suffrage Union has as yet been able to return to parliament, when a question came up in parliament affecting the principles of the union, was either absent or silent. We have similar facts in regard to radical members, returned to some of our own legislatures. The weight, and, above all, the confidence of a member depend less on what he is in himself, than on the relative wealth and importance of his constituency. The member returned by the poor and feeble will rarely be able to hold up his head before the members returned by the wealthy and powerful.

Universal suffrage does not, then, in giving to every man an equal vote in the state, give to every man equal ability to protect his own rights and interests. The master can always command the vote of his servant; or, if he cannot, he can always contrive some way to escape its effects, and, indeed, to turn it against his servant. We see this in the history of our own country. Free suffrage has done very little with us to protect labor against the usurpations of capital; in most of the states, it has done nothing. In the federal legislature, through the influence of that portion of the representatives of wealth, who own labor, and, therefore, have an interest identical with that of our northern laborer, a severe contest between the two elements has thus far been maintained. But these are now a feeble minority, and the contest is no longer doubtful, as the reviewer may read in the fact, that the confidential friends of his favorite candidate for the presidency seek to win the support of northern manufacturers, rather than that of the southern planters, and are restrictionists, and abolitionists, rather than constitutionalists.

The great danger of modern times is this growing industrial feudalism, which is springing up in all the more *advanced* nations of Christendom, and taking the place of the

old feudalism, founded on conquest and territory. It is, in many respects, worse than the feudalism of the middle ages, and, so far as we can see, better in none. The old feudalism was territorial, and the serf lived on, and drew his support from, the land he tilled, and his means of living were in proportion to the productiveness of his labor. He might, indeed, sometimes want, but only in seasons of general scarcity. This new feudalism is founded on trade, much more fluctuating than agriculture, and the operative's means, instead of being in proportion to the productiveness of his labor, are in proportion to the demand in the market. As his products, owing to the vast increase of the productive power of all industrial nations, run always ahead of the demand, he suffers most, experiences his greatest want, when warehouses and granaries are the fullest.

Now, we ask the reviewer, what universal suffrage has done, in this country, to check the growth of this system. So far as at present informed, we believe this system has received more direct encouragement with us, than in any other country. By means of corporations, joint-stock companies, for vast industrial enterprises, the whole industry of the country, and the whole legislation which concerns industry, have fallen under the control of, probably, less than two hundred individuals, and there was a moment when it threatened to fall, and had we, instead of Great Britain, been the leading commercial nation, would actually have fallen, under the control of one man alone, the first president of the United States Bank of Pennsylvania. They were not the votes of the democracy, that prostrated Mr. Biddle. All the voting in the world was impotent before him. We owe our deliverance from him to some few blunders of his own, but mainly to the fact that English cotton-spinners could live longer on their old stock of cotton, than he could afford to keep his new stock in warehouses, waiting for higher prices. The commercial superiority of England, not universal suffrage, saved us.

In all our contests with the money power, we have seen the impotence of the reviewer's democracy, and the truth of Harrington's assertion, that power goes always with the balance of property. How did General Jackson sustain himself in his war against the bank? Was it universal suffrage that sustained him? Or did he sustain himself by separating the interests of the state banks from those of the national bank, and thus gaining to his side the balance of

property? Deprived of the aid of the state banks, especially the banks of the state of New York, which wanted the government deposits, then embracing a large surplus, and to get rid of a competitor who paid no taxes, and loaned money at six *per cent*, instead of seven, would he, with all his overwhelming energy of character and unbounded personal popularity, have been able to sustain himself? He himself thought otherwise, and this was his reason for adopting the "Pet Bank" policy, to which in his own private opinion, we are assured on good authority, he was opposed.

How was it under Mr. Van Buren? The policy of divorcing the government from all banks, both state and national, necessarily united them all against the government. The banks represented the great mass of the active capital of the country. On one side we had the government, on the other the money power; and what was the result? The government nominally carried out its policy, but only to be itself instantly overthrown. Mr. Van Buren at the head of the government, the moment the business men of the country united against him, was as the leaf torn from its stem in the autumnal blast. The overwhelming defeat of the government party, in 1840, proves, incontestably, that men, before property, are as the chaff of the summer threshing-floor before the wind.

Nothing in our legislation has done more to favor the march of modern feudalism, than the restrictive policy of Mr. Clay and his friends. The reviewer agrees with us in utterly condemning it, and in contending that the best interests of the country, especially of the laboring classes, demand freedom of commercial intercourse, that our people be free to buy where they can cheapest, and to sell where they can dearest. Yet has his party ever been able to defeat, or even to restrain, this policy? Did not his favorite candidate for the presidency vote for the tariff of 1828? Have not his intimate friends, by their votes, even while making speeches against it, fastened the present tariff on the country? Dare the friends of this same candidate make up, before the country, a direct issue on this question? Does not he himself, when questioned as to his views of the policy, answer, after much circumlocution, YES, and NO, and finally, neither YES nor NO? And why does he so answer? Simply, because he knows that population is not the element that decides the question, who shall or shall not be president. He knows that there are certain money or property interests

to be consulted and combined. He knows that no *one* of these interests can now make a president against the union of the others. He must, then, be for free trade, just so far as to make the planting interest of the South regard him as a lesser evil than Henry Clay, and just enough of a restrictionist to divide the manufacturing interest with Mr. Clay in New York, Pennsylvania, and Ohio. Why all this, if population, irrespective of property, is the controlling influence in the state?

Now, the point we maintain is, that, in a country where there is an inequality of property, and where the minority of the population, as with us even, holds or controls, through corporations, banks, and the various contrivances invented for creating artificial credit, the majority of the property of the country, the government is, effectively, in the hands of that minority. We go further, and say, that our whole experience as a nation proves it. We demand of the reviewer what it is that he and his party have always complained of. Has not his party, from the very first, complained that this minority controlled the legislation, and, by so doing, secured privileges to itself, unjust and oppressive to the great mass of the people? Was not this the *gravamen* of its charge against the financial policy of Hamilton, and their more recent charges against Mr, Clay and his friends? And what from the first has his party been avowedly struggling for, and which forms the grounds of his and our attachment to it? Has it not been to restrain the undue influence of the moneyed minority? Has not Mr. Benton himself declared the struggle to be, "MAN against MONEY"? Well; has the party ever succeeded? Is it any nearer success than it was fifty years ago? We challenge the reviewer to produce a single instance, in which it has ever gained even the slightest advantage. It has had its triumphs, we own; it has succeeded in electing its men, and securing its full share of the spoils of office; but we fearlessly assert, that he cannot point to a single legislative act that has, in the least imaginable degree, weakened the power of its opponent, or strengthened its own. Will he point to the election of Jefferson? That election changed nothing in the financial policy of the government, or the industrial system of the country. Will he point to the war with Great Britain? The money power of the country forced the Republican party to make peace at the expense of every object for which it professedly took

up arms. Will he refer to the Compromise Act? That, we own, was a temporary victory; but it was gained, not by the votes of the people, but by the interposition of the state veto, and is due to constitutionalism, and not to democracy; for it was gained right in the face and eyes of both General Jackson and his party. Will he refer to the prostration of the United States Bank? That, indeed, was prostrated, or its recharter defeated; but only at the expense of building up a vastly more dangerous and mischievous power in the state banks. Will he adduce the defeat of the wild scheme of internal improvements to be carried on through the federal government, by General Jackson's veto on the Maysville Road bill? In revenge, we refer him to the wilder schemes attempted by the states, to the incalculable evils of gambling in state stocks, the two hundred millions of dollars or more of state indebtedness, resulting from transferring the work of internal improvement from the federal government to the state governments, and the disastrous effects of which, in aiding the growth of modern feudalism, will be felt as long as this republic holds a place in the list of nations. We repeat it, nothing has been gained; for we do not count the few organic changes which have been effected, enlarging the basis of popular representation, and making our institutions conform more nearly to the democratic standard; for we cannot count as gain, that which does not actually enlarge or consolidate the power of the many to resist unjust and oppressive legislation on the part of the wealthy and influential few; and the effective power of the masses is enlarged or diminished, not by organic changes, but by laws effecting, as Mr. Webster has well remarked, "the distribution and transmission of property." The reviewer knows perfectly well that property is more unequal with us than it was fifty years ago, and that it is altogether more difficult for a young man without capital to place himself in an independent position. He knows perfectly well that the money power has been strengthened and consolidated, and that his party, even if it come into *place*, can come into *power* only by yielding to its demands. Thus has it been with us for fifty years, and what better can we hope from the continuance of the old struggle, on the same battle-ground, for fifty years to come? We are tired of these contests in which nothing is gained,—nothing gained for my poor sister who works sixteen hours a day, for her fifteen cents;

for these poor children of my brother, growing up in ignorance, in vice, to breed a moral pestilence through the land. Give us the substance; mock us not with the shadow.

Now, if there be any truth in what we have said, there is in the community a minority of the population controlling the balance of the property, and this minority is always, directly or indirectly, the governing power. The need is of a *somewhat* in the state to act as a counterpoise to this governing influence. Without something of this kind, the many are at the mercy of the few, and the Haves may carry it at will over the Have-nots. It was supposed universal suffrage, by admitting the many into the state, would secure a sufficient counterpoise to the wealthy and influential few; but we now see that it does not. We must, then, seek it elsewhere.

This granted, it follows irresistibly, the practical ends of government being what we have defined them to be, that democracy, which founds the government on population alone, will not, does not, and cannot, answer the practical ends of wise and just government. We must, if we will have wise and equitable government, a government competent to protect the weak against the strong, and the Have-nots against the invasions of the Haves, so constitute the state that it shall rest on some element in addition to population. Man does not suffice always for the defence of man, and can never suffice for the defence of man against man and property combined. This fact demonstrates the utter insufficiency of democracy, even to maintain the lowest form of freedom,—freedom not to be governed, or the protection of man against man.

If there is another element than population necessary to the well ordering of the commonwealth, then have we established our third proposition, and done all that we promised. But the reviewer may think that we have the restraining power in the constitution, which he admits, for he, too, is a constitutionalist, *after a sort;* but we have not, if we adopt his theory of the constitution. He sees the great fact, as well as we, which we have set forth; and he, no more than we, is willing to trust the ruling majority for the time, to legislate without restraint. This fact alone ought to show him the absurdity of his democracy; for, the moment you demand a constitution to strengthen or restrain population, you declare the insufficiency of population alone, and therefore of democracy. If the state be founded

on population alone, a constitution is a nullity, even an absurdity. Population is always equal to itself, and is the same with or without a constitution. Hence, the constitution is a nullity. If population be the government, and the sufficient government, a constitution to restrain its power, resting itself for its own support on that power, is an absurdity.

The reviewer seeks to save his democracy, even while admitting the necessity of constitutional checks and balances, by founding the constitution itself on population, and declaring population, through a *bona fide* majority, to be competent at any time to alter it, without even the necessity of the formality of being legally convened. But this saves democracy at the expense of the constitution, and declares the constitution a constitution only in name. Does the reviewer mean by the constitution, a mere voluntary restraint, —if he will pardon the Hibernicism of a *voluntary* restraint, —which population imposes upon itself, and which can be only a declaration, that, during its pleasure, it will make laws only according to certain rules? Is this his constitutionalism? If it is his, we must tell him, that it is not ours. The constitution is, as we understand it, the constitution of distinct powers in the state, which powers are always to be represented in the administration of the several departments of government, and to serve as counterpoises one to another, whenever either seeks an undue preponderance. No constitution, in any intelligible sense, is possible where the state is founded on population alone: for, where population is the only element that enters into the calculation, no constitution of distinct powers is possible. Either, then, constitutionalism, and not democracy, or democracy, and not constitutionalism. You cannot, in the nature of things, have both together. For either population can override the constitution, and then it is no constitution; or, the constitution can override population and restrain it, and then it is no democracy.

Now, the constitution, if it mean any thing, and is to answer any purpose, must be such a constitution of the state, of governing powers in the state, whose concurrence is essential to the action of the government, as will effectually prevent any one from going beyond certain bounds, that will be of itself competent to say to the money power, "Thus far, but no further;" and by so doing, be always a shield interposed between the poorer and more numerous

classes, and the wealthy, influential, and all-grasping minority. These constituted powers, unquestionably, are to be *exercised* by persons; but they do not represent persons alone, but possessions and pursuits. The people distributed, constituted according to their property, or their calling, or whatever you make, in addition to population, the foundation of your state, is the legal, the political people. This people, which has no existence outside of the constitution, and, therefore, can act only through the forms of the constitution, is *the* people that governs, that makes and administers the laws, and that may, when it pleases, alter or amend the constitution.

The reviewer, founding the state, as all democrats must do, on population alone, comprehends no distinction between the legal, political people, representing not numbers only, but something in addition thereto, and population itself; and, therefore, he contends, that population is competent to make or unmake the constitution. In this case, his constitution rests for its support on the will of the very population it is to govern, and would resemble locking up the culprit in prison and intrusting him with the keys. Yet the reviewer talks pleasantly about the *reductio ad absurdum*. If numbers, as we have seen, are not sufficient, in practical legislation, to restrain within due bounds the minority that control the balance of property, how can they prevent that same minority from securing undue advantages in the convention that makes the constitution? Are the mass of the people necessarily stronger in the convention, than in the legislature? Did it never occur to our friend, that government and law are needed especially, not for the rich and powerful, but for the poor and defenceless?

The reviewer's doctrine as to the power to alter the constitution is very easily comprehended. As one of the legal people, I have no existence out of the town of Chelsea, and my vote, in determining the majority to be represented in the convention, can be counted nowhere else; but as one of the population, my vote may be counted anywhere. In selecting delegates for the convention, then, the excess of numbers in one electoral district may be used to make up the deficiency in another. Might not, in this way, the composition of the convention be somewhat different from what it would be if legally convened, and representing only the political people? The absurdity of the reviewer's doctrine may be seen at once, by applying it to the constitution of

the United States. According to his doctrine, seven of the large states would be competent at any time, and in any way, to alter the federal constitution, for they have the majority of the population. According to our doctrine, which makes it alterable only by the legal people, acting as the legal people, no alteration could be obtained so long as even the seven smallest states refused their assent.

But we must bring our remarks to a close. What should be the real foundation of the state, or what should be the basis of representation, we reserve for a future discussion. We will only add now, in justice to ourselves, that no constitution, however admirably devised and wisely adapted to the genius and pursuits of a given people, will be alone sufficient. Its success will always demand the presence of a *higher than human authority* to fasten it on the minds, the hearts, and the consciences of the people, and those they intrust with the management of their affairs. We can, in nothing, dispense with superhuman aid; and no constitution will work well, or accomplish its end, that has not its foundation and support in God.

In conclusion; we have aimed to treat the question calmly, fairly, and honestly. We have spoken freely of the reviewer, but, intentionally, with no disrespect. We sought no controversy with him; and it was far from our original wish to interfere at all with his discussion of his own notions in his own way, But he himself went out of his way, not merely to disclaim all responsibility for our doctrines, but to denounce us in his own review, to which we were a regular and independent contributor at his own solicitation; and his first denunciation was of views which we thought we had some reason for believing he himself was "becoming more and more inclined to adopt." If aught unpleasant has entered into the tone of any of our remarks, it is owing to the fact, that we have not been able wholly to escape the echo of his own. Yet, we owe him no ill will; we esteem him for many noble and generous qualities, and take a deeper personal interest in his welfare than either he or the public will give us credit for. We believe him wrong on a great and vital question, and wrong because he has adopted his opinions without mature investigation. A fuller investigation, we are confident, will convince him that the great cause of individual and social well-being is not to be promoted by a further extension of the democratic principle.

DEMAGOGUISM.

[From Brownson's Quarterly Review for January, 1844.]

It is universally conceded, that republics, especially democracies, can subsist only by means of the virtue and intelligence of the people; but it does not appear to have been very generally considered, that democracies, or popular forms of government, which, through suffrage and eligibility, admit the great mass of the population to a share in the administration, have a strong tendency to counteract the very virtues on which their permanence and utility depend.

Our political history, we think, demonstrates this latter position, beyond the reach of cavil or doubt, to all who have accustomed themselves to look a little below the surface of things. Here, in this matter, the boasted maxim of political economy, that demand creates a supply, does not hold good. Looking at what we were in the beginning, and at what we now are, it may well be doubted, whether another country in Christendom has so rapidly declined as we have, in the stern and rigid virtues, in the high-toned and manly principles of conduct, essential to the stability and wise administration of popular government.

We commenced our national existence with many peculiar advantages, and advantages wholly independent of our peculiar political institutions. We began our labors on a virgin soil, in a new country, of vast extent, great internal resources, and remote from the vicious and corrupting examples of the Old World. We were, for the most part, an agricultural people, sparse, not crowded into towns and cities, with plenty of new and fertile lands, easy to be obtained, and yielding a rich and immediate reward to the cultivator Our wants were few, our manners and tastes were simple, and life with us was uniform, and little exposed to vicious temptations. Government had little to do, for all moved on harmoniously, as it were, of itself. It must have been a bad government, indeed, that could, at once, have corrupted us, and hindered our growth and prosperity. So were we in the outset; but so are we no longer. Our population has become comparatively dense; our new

lands are exhausted, or have receded so far in the distance as to be no longer of easy access, or attainable at all by the inhabitants of the older states, who have not some little capital in advance. We have become a populous and a wealthy country, a great manufacturing and trading people, as well as a great agricultural people; we are separating more and more, capital and labor, and have the beginnings of a constantly increasing *operative* class, unknown to our fathers, and doomed always to be dependent on employment by the class who represent the capital of the country, for the means of subsistence, and therefore to die of hunger and nakedness, when employment fails them; we are brought, by improvements in steam navigation, alongside of the Old World, into immediate contact with its vicious and corrupt civilization; we are no longer isolated, no longer a simple, primitive people; our old manners have passed, or are rapidly passing, away; our increasing wealth brings in with it luxury, poverty, and distress, as well as refinement and a more general culture.

Here is what we have become. It is now, under these altered circumstances both of the country and the people, that the virtues of our institutions are put to the test. These institutions have as yet had no severe trial. The peculiar advantages of our position are sufficient to account for all the superiority, under a moral and social point of view, we have hitherto exhibited. But if, with these advantages, our institutions have suffered us so to deteriorate, will they suffice to restore us to our former elevation? Nay, if with these advantages, we have, under these institutions, fallen nearly to a level with the Old World, and shown a rapid decline in the stern and rigid virtues, in the high-toned and manly qualities we are accustomed to boast in our ancestors, unparalleled in other Christian nations, not excepting even England, to what can we attribute so lamentable a fact, but to our peculiar institutions themselves? The result, to which we have come, is attributable to no slight or accidental cause, but to a deep-seated and constantly operating cause, and this cause can be found nowhere, but in our peculiar form of government.

In speaking of the decline we have experienced in the stern, rigid, high-toned virtues of our population, we are far from implying, or wishing to imply, that we have fallen below even the more advanced nations of the Old World; and, in assuming that our political institutions, taken inde-

pendently of the accidental advantages of our position, have not produced such unmixed good as our noisy politicians pretend, we are equally far from implying, or wishing to imply, that we are not even yet in a moral and social condition much superior to that of any other people. What we mean to assert is that, under a moral and social point of view, we have not maintained our former relative superiority. We are still in advance of the Old World, but by no means so far in advance as we were in the outset; and considering the many obstacles the several nations of the Old World have had to encounter, and the much we have had in our peculiar position in our favor, we have, relatively speaking, fallen behind them, and show a deterioration, of which they set us no example. France, Germany, England, even Spain, have, during the period of our national existence, made no inconsiderable efforts at national regeneration, and each and all of them have, we believe, commenced the upward movement, while we alone have actually deteriorated.

Assuming this to be a fact, there must be, in the nature of our peculiar institutions, some inherent and permanent cause of this deterioration. And this we solemnly believe to be the case. In this world, good and evil grow together, and often spring from the same root. The matter of virtue and vice, as Milton has remarked, is not unfrequently the same. As you recede from one evil, you strike upon another; and as you secure a new advantage, you expose yourself to a new danger. This has been our experience as a people. We have escaped many, perhaps the heaviest, of the political evils of the Old World; but, in return, have exposed ourselves to evils, from which the Old World is comparatively free. These evils, to which we have exposed ourselves, are by no means so great, or so difficult to guard against, or to counteract, as to induce us, for a moment, to balance our institutions with those of any other people; or to ask ourselves, if we have done wisely in adopting, or shall do wisely in sustaining them. With all the evils to which they expose us, they are the best, at least for us, that the world has ever seen, or that we can even conceive of. All we insist on is, that they do expose us to evils, which demand our sleepless vigilance, and all our wisdom and energy, to counteract. They will not, as it were, go of themselves, of themselves create all the virtue essential to their wise and just administration.

A delusion had seized the world about the time of our national birth, that all the evils the human race suffers are owing to bad government, and that a wisely constituted government will, as it were, of itself cure them. Hence we fell into the mistake of feeling that our institutions would take care of themselves, and work out for us, without any special agency of our own, that higher social good towards which our minds and hearts were turned. But bad government itself must have a cause, and can have no cause but the ignorance, the vice, the selfishness, and the indolence of the people; and the best of institutions will produce only mischievous results, if not wisely and virtuously administered; and wisdom and virtue, in our case, to secure the right sort of administration, must not only be generally diffused among the people, but be brought to bear directly on the administration itself.

Another delusion, at the same epoch, seized the more advanced nations of Christendom, namely, that the people could MAKE the constitution, and that nothing was wanting to secure its successful practical working, but to intrust it to the care of the people. The desideratum of the time was to get rid of bad governments, of tyrannical and oppressive rulers. It was felt that the people, if admitted into the government, would have so deep an interest in good government, that they would never submit to bad government, or suffer the government to become bad, and that their own interest would lead them to resist all tyrannical and oppressive magistrates, and to invest none with power who would not exercise it for the common good. All this was plausible, and taking; but it obviously placed the dependence for good government, not on the virtue of the people, on their sense of duty, and power of sacrifice, but on their *sense of interest*. Their own sense of their own interest would lead them to institute good government, and to insist on wise and equitable administration. But, in throwing a people back upon their sense of their own interest, leaving them, nay, teaching them, to be governed by their own views of their own interest, do we not necessarily destroy the very virtues essential to the maintenance of wise and good government? Do we not set up interest as the ruling motive? And when interest becomes the ruling motive of a people, will not each individual struggle, not to administer the government for the good of all, but to make it a machine for promoting his own private ends?

The principle of the political order sought to be introduced, and on which the statesmen and politicians relied for securing the practical benefits to be expected from government, was to pit the selfishness of one against the equal selfishness of another; or, as we may express it, UNIVERSAL COMPETITION. The principle of competition is selfishness. Leave, then, free scope to the selfishness of all, and the selfishness of each will neutralize the selfishness of each, and we shall have for result—eternal justice, wise and equitable government, shedding its blessings, like the dews of heaven, upon all, without distinction of rank or condition! Truly, this were putting vice to a noble use, and proposing a transmutation of the base metals into the precious, far surpassing that dreamed of by the old alchymists, in their insane pursuit of the philosopher's stone. But the success of the theory would not have given the result anticipated. From absolute negation, how obtain an affirmative? Assuming the absolute equality of all, and that in all cases the selfishness of one will exactly balance the selfishness of another, the result will be zero, that is to say, absolutely nothing. But assuming the *inequality* of the social elements, and that the selfishness of one is not in all cases the exact measure of the selfishness of another, then they in whom selfishness is the strongest will gain the preponderance, and, having the power, must, being governed only by selfishness, wield the government for their own private ends. And this is precisely what has happened, and which a little reflection might have enabled any one to have foretold. The attempt to obtain wise and equitable government by means of universal competition, then, must always fail. But this is not the worst. It, being a direct appeal to selfishness, promotes the growth of selfishness, and therefore increases the very evil from which government is primarily needed to protect us.

Nor is this all. Alongside of this principle of universal competition, lay that of RESPONSIBILITY TO THE PEOPLE. Responsibility of the civil magistrate to the people was, no doubt, asserted with a good motive, for the purpose of establishing the right of the people to divest the agents of authority of all power, in case they abused it; and also as a restraint on these agents themselves, who, knowing that if they abused their trusts, the people could dismiss them, would be induced, by all their love of power and place, to use their power for the common good. Here, again, the same attempt to convert the base metals into the precious,

to make selfishness produce the effects of the loftiest virtue. But the old alchymists did not discover the philosopher's stone. We have not yet discovered any method by which lead can be converted into silver or gold. Selfishness is selfishness, and will be selfish, say or do what we will. And therefore instead of taking care not to abuse its trusts, so as not to lose place or power, it only sets its wits at work to secure the confidence of the people, by professing the greatest respect for their virtue and intelligence, and a willingness at all times to bow to their will, and to do all their bidding. Selfishness became a courtier, and sought to gain its ends by flattering the sovereign people, and *seeming* to have no interest but theirs. It would not tyrannize and oppress with the strong hand, by bidding defiance to popular power; but it would do it by sly cunning, by subtle arts, and plunder the people, and enrich itself, by their own consent, at least with their own hands. If it pleased the people and gained their confidence, it was enough; no matter by what means.

The result, therefore, of making all officers of government, and all aspirants to office, feel their responsibility to the people, has been simply to encourage DEMAGOGUISM, and to cover the land with swarms of greedy and unprincipled demagogues. To gain place or power, I must please the people; and the readiest way of pleasing the people, the only way practicable to selfishness, is to flatter them, to defer to them, to adopt their opinions, to take the law from them, and never to resist them, or seek to change their course, let it lead where it may. Selfishness then becomes a TIME-SERVER; seeks not for truth and justice, but for what is popular; asks not, What is right? but simply, What will the people say? It has no opinions of its own. It runs athwart no popular prejudice; treads on none of the people's corns; is non-committal on all points on which the public mind has not declared itself; and is tolerant to all incipient errors, for they may become popular to-morrow. It is prudent, sleek, decorous. It has no rough edges, no angular points, and thrusts its elbow into no man's ribs. Its face has a settled smile; and its voice is soft, gentle, insinuating. It is calm, dispassionate, mild, deliberate. It is free from rage, from hurry, and "bides its time." If it fails to-day, it will succeed to-morrow. "The sober second thought of the people" will set all right, and place it at the top of the ladder. Hence, all manly devotion to truth, all earnestness

in the defence of the right, all firm resistance to popular error and delusion, all bold and vigorous efforts to advance the people, and carry on individual and social progress, are out of place, and must be quietly left by the way; for they might endanger our popularity, offend perhaps the majority, and prevent us from securing the objects of our ambition.

We draw here no fancy sketch; we are, unhappily, painting from the life. One sees the original everywhere. The evil has become great and menacing. We have lost our manliness; we have sacrificed our independence; we have become tame and servile, afraid to say that our souls are our own, till we have obtained permission of the public to say so, or at least till we have pretty well ascertained that it will not be *unpopular* to say so. The tameness and servility of American literature are almost universally admitted. It has no manliness, no reach, no depth, no aspiration. It seeks to win popular favor, not to correct public sentiment; to echo public opinion, not to form it.

Now this, we contend is a natural result of the principle of *responsibility to the people*, contended for by our politicians. If you repeat always to your statesmen "Remember your accountability to the *people*," you must expect them to ask always, not, What is right? but, What is popular? And when you have led your statesmen to do so, made popular opinion their guide, you have made it so for all who aspire to place or power; and then you have made it so for the great body of your whole community, and not in relation to politics only, but in relation to every department of life. Popularity will become the leading object of ambition, and popular opinion the standard of morality. The public will intervene everywhere. The minister of religion will court the public, and the pulpit will soften or suppress the unpopular truth. All will be done with a view to immediate popular effect; and what will not tend to secure immediate popularity will be looked upon as a blunder, or, at best, as a crime. In such a state as this, how can there be the virtue necessary to sustain wise, equitable, and efficient government? In such a state as this we indisputably are, and to such a state as this, if not our institutions themselves, at least our doctrines in regard to them, with which we commenced our political career, have a direct, if not an inevitable, tendency to reduce us. Here is the weak side of our political order, and here is what must always be the result of a political order, which rests for its support on selfish-

ness, on interest, on universal competition, and responsibility to the popular will. Here is the danger to which we are particularly exposed, and against which, if we love our country, and desire the prevalence of justice, we must be always on our guard.

It is useless to undertake to deny what we have here stated, and useless to undertake to prove that popular governments have not a direct tendency to create a multitude of demagogues, and to make what is popular the standard of what is right or proper to be undertaken. Popular governments are favorable, by the freedom of competition they maintain, to commerce, to industry, to great material prosperity, *for a time*, so long as there remains a large body of the people as yet uncorrupted,—so long as the selfish principle they foster has not yet become universal. But as soon as this principle, on which they are founded, reaches the heart of the community, and the scramble for wealth, for place, and for power, affects all classes, and becomes universal, all sorts of prosperity come to a standstill, and the state falls to pieces by its own internal vice and rottenness. What are called free states are always marked by a sudden and surprising activity, by a sudden and surprising prosperity, and by almost as sudden and surprising a decline and fall. And this lies in the nature of things, unless, independent of the government proper, there be in the community a counteracting and conservative principle. On this point, if we will neglect the lessons of antiquity (for our experiment is not so new as we sometimes boast), we do not well to neglect the lessons of our own experience. No man can attentively study our political history, and analyze with some care our popular institutions, but must perceive and admit that our state contains the seeds of its own dissolution, and seeds which have already begun to germinate. Unless the tendency we have thus far obeyed can be arrested, and a stronger and more conservative principle be brought in to our relief, all hopes of a successful issue must be abandoned.

We feel how very unpalatable all this must be to our countrymen, and how ill it must be received. It will be easy to ascribe it to our diseased imagination, or disappointed ambition; it will be easy to ascribe it to a growing distrust of our institutions, to a hankering after other forms of government, or to a love of singularity, or of notoriety. All this it is easy to say, and all this unquestionably will be

said, and believed by not a few. There are a thousand voices interested in silencing the still small voice of truth; and may do so. But, alas! the truth remains the same, and the evil exists not the less, conceal we it never so effectually from the eyes of the spectator. The evil is there. The cancer eats into the very vitals, and death must sooner or later ensue. We may say what we will of the physician who warns us of our danger, who bids us seize time by the forelock, and apply the remedy before it has become formidable; we may dismiss him and call in another who will tell us smooth things, that there is no danger, that we may eat, drink, dance, sing, and be merry as usual; but this will avail us nothing. The cancer is there, and eats, eats, never the less.

But we have not closed the catalogue of our dangers. The root of all is in the attempt, with a mere negative quantity to obtain a positive, out of selfishness to bring forth virtue. This attempt, as we have seen, makes selfishness the ruling principle of the whole community. The great object of action, then, so far as government is concerned, is to make it the means of promoting, not the public good, but private interest. But to suppose that it can promote equally the private interest of all, is absurd; or even of a majority. It can, in the nature of things, promote the private interest of only the few. Then there must be some contrivance by which the few can control its operations, and secure to themselves its advantages, in the language of the day, "the spoils." This contrivance we may express by the word PARTY. There may still be in the country some remains of virtue, some reminiscences of the doctrine, that we ought to seek the public good. They who share these reminiscences might, if free to act according to their own convictions and sense of duty, trouble us and thwart our schemes. We must control them by means of party organization and party usages, and substitute devotion to party for devotion to the public, and thus make even the virtues of the people subservient to our selfish purposes. Hence springs up a system of party tactics, from which this country has more to fear, than from any other cause whatever.

This system, if we have rightly learned it,—and we have learned it from the intimate personal associates of the distinguished man who is at present its most brilliant representative,—is in substance this: In a republican government every thing must be done by means of party. Our first

effort therefore must be to get, and keep, our party in the majority. We must never propose any measure likely to throw it, or to keep it, in the minority. If we keep our party in the majority, we can from time to time through it propose and carry such measures as we may judge to be proper or expedient. Mark this. The *first* object is, not to find out and support what is for the public good, but by organization and discipline to get and keep our party in the ascendency. *After this*, if we can serve the public without falling into the minority, well and good; if not, why just as well and good, provided we only hold on—*to the offices*. Nothing can be worse than this. Regular organized parties, in a republican government, organized with a view to permanence, so as to make it the primary duty of the citizen to support them, are fraught with the greatest danger to liberty. They are contrivances to override the constitution, and to enable a minority to rule the majority. They are machines constructed for the express purpose of centralizing power for the express benefit of intriguing politicians, who by getting hold of the crank may work them as they please. The only parties really defensible in a free government are such as naturally and spontaneously spring up, and group themselves around different views of governmental policy. These come when they should, last as long as the difference of policy lasts, and then dissolve of themselves. They come, accomplish their object, and disappear.

But having determined that all is to be done by and through party, and that our primary duty is to labor for the organization and ascendency of our party, the next thing to be insisted on is, *Fidelity to the party, and strict adherence to its usages*,—the surrender of all individual opinions, convictions, and preferences to the decision of the party, which decision, be it understood, is always to be effected by the aforesaid politicians who have hold of the crank. This throws the whole business into the hands of central committees, and deprives the great mass of the citizens of all free voice in the determination of measures, or in the selection of candidates. These committees, often self-constituted, or, if not, chosen by a feeble minority, arrange every thing, and leave to the citizens at large, or to the great mass of the party, nothing to do but to accept their arrangements and support their nominations, or to assume the responsibility of throwing the government into the hands of the opposing party.

To keep the ranks of the party full, to prevent members from breaking away and asserting their independence, appeals are now made to the lowest and most corrupting passions of the human heart. The individual, who shows himself a little uneasy, or disposed to kick at the party traces, must be denounced, thrown over, and declared to be an enemy, and no longer entitled to the confidence of the party. Thus men must be kept in the party and faithful to its usages, decisions, and nominations, not by attachment to its principles and measures, but through fear that, if they assert their independence, they will lose their share of the "spoils."

Now, fasten this doctrine on the country, and let it become our settled mode of disposing of all political matters, and our liberties, and the whole action of the government, will be at the mercy of the sly, cunning, adroit, intriguing, selfish demagogues, whom our country, as we have seen, has a direct and strong tendency to multiply.

And here, we must be permitted to say, is a strong reason why the American people should pause and deliberate long before restoring Mr. Van Buren to the high office from which, in 1840, they so indignantly ejected him. It cannot be denied that Mr. Van Buren is the most conspicuous representative of this system of party management, in the country. The system itself has been perfected, and to no inconsiderable extent was founded, by him and his more immediate political associates. He is intimately connected with it; owes to it all the political elevation he has ever received, and relies on it alone for his restoration to the presidency. He has no hope but in its influence; his restoration would therefore be a direct sanction of the system by the American people, and go far towards fastening it upon the country beyond the reach of future redress. In this view of the case, the reëlection of Mr. Van Buren, whatever his personal worth, would be a dangerous precedent, and a most serious public calamity.

In 1840, such was the state of certain great public questions, and such Mr. Van Buren's position, that all those of us, who felt deeply the importance of completing the financial policy commenced under his administration, were obliged either to vote for him, or to vote against our principles. But there is no necessity of driving us again to this severe alternative. Moreover, his defeat was not an unmixed evil, for it was not wholly owing to the opposition of the American people to the leading measures, or rather

measure—for it had but one—of his administration; but to no inconsiderable extent, to the obnoxious system of party management he represented. We are not sure but the determination to get rid of that system—the caucus system—had as much to do in effecting his defeat, as opposition to the independent treasury. Men had grown weary of party tyranny, and disgusted with its machinery. That this gave to the opposition no little of their strength, is pretty clearly evinced by the fact, that no sooner were Mr. Van Buren and his caucus system believed to be out of the way, than the Republican party was stronger than ever. State after state returned and gave their votes for the principles and measures of government, they had persisted, under him and his tactics, in voting down. The whole party throughout the Union gave a sudden spring, as if freed from some superincumbent weight, which had hitherto oppressed it to the earth, and prevented all free movement. It was a general jubilee; and men seemed to say, "Now Republican principles can have a free development, and a certain triumph."

Considerate men, who had stood by Mr. Van Buren, and made no inconsiderable sacrifices to sustain him, felt, after all, that his defeat had its good side, in that it might tend to break up the old party organization, demolish its machinery, and leave men a measure of freedom to labor for the public good. They felt that all was not lost; nay, that the gain might possibly in the long run overbalance the loss. Mr. Van Buren, they felt, was out of the way; and this, in itself, was no trifling gain. Hope sprang up afresh, and in the buoyancy of their hearts they were disposed to treat him with all tenderness, to tread lightly on his faults, to forget the injuries he had inflicted on the Republican cause, and to magnify as much as possible his virtues and public services. His defeat softened prejudice, and disarmed hostility, and all were disposed to follow him to private life with marked respect, if not with gratitude. They felt that, since he was no longer in the field, the disasters of the campaign could be easily repaired; and that the Republican forces, marshalled again, under new leaders, with fresh hopes, and the natural stimulus of recently recovered freedom, would be in no danger of a future defeat. There was reason and justice in all this. But the reappearance of Mr. Van Buren upon the stage changes the whole aspect of affairs. He comes not alone, but as the chief of a band, which

the country had devoutly hoped was dispersed, never to be collected again. He comes as the representative of the same old corrupt and corrupting system of party tactics, followed by the same swarm of greedy spoilsmen, with their appetite for plunder sharpened by the few years' abstinence they have been forced, through the remains of the original virtue and patriotism of the country, to practise. Gratify his wishes, restore him to the place he is personally soliciting, and we lose all that was good in the defeat of the Republican party in 1840, and retain only the evil. We restore what, with an almost unheard-of effort, the country had thrown off, and place the Republican party in the condition in which it must be defeated again, or the country be inevitably ruined.

These are no doubt hard things to say of a man who has once filled the high office of president of these United States; but if Mr. Van Buren had been at all worthy of that high office, they never would have been said; for he would on his defeat have retired and remained thenceforth in private life. The fact that he is now before the public, soliciting to be restored to that office from which the country ejected him with indignation and disgust, is a proof of his moral unfitness for the place to which he aspires, and of the justice and wisdom of the people in ejecting him. He loses all the sympathy his defeat excited, forfeits all the respect with which generous hearts follow the fallen, and all the sacredness that ordinarily belongs to those who have filled high office. He stands before us simply as an aspirant for the highest honor in the gift of the American people, and not an aspirant relying on his own personal merits and eminent public services, but on a system of party tactics and caucus machinery, which cannot be countenanced for a moment, without the most serious detriment to liberty, and the grossest indignity to civic virtue. Under these circumstances, he must expect to have hard things said of him, at least hard things to be *thought* of him, by every man capable of distinguishing between the virtues of the citizen and the virtues of the partisan. He voluntarily provokes the severest censure from every enlightened friend of his country and of her republican institutions. It is too much to ask us to restore the old caucus system, the old party machinery, and reinstate all the old drill-sergeants, by whose means our liberties have been jeoparded and our republic brought to the very verge of the precipice. It is too much to expect us

quietly, now after so much has been done to clear the onward path of republicanism; now after Providence has so signally intervened in our favor against those who had for so long a time provoked its indignation, to replace the old impediments swept away by the whirlwind of 1840, by rallying again around the very man, who, of all others in the Union, relies most on these very impediments for success, and who cannot be ignorant that, if it were not for the party contrivances which stifle the free voice of the people, he would never be solicited to leave, even for a moment, the classic shades of Lindenwold.

We have spoken of the peculiar dangers to which institutions like ours are exposed These dangers are great and threatening; they have already acquired an alarming force, and seem almost ready to break upon us with overwhelming fury; but we do not look upon them as inevitable, or irremediable. We may guard against them, and shelter ourselves almost, if not wholly, against all ill consequences. But our protection against them is in the virtue of the people, in their firmness to resist the tendency to selfishness, which our institutions themselves naturally generate; and we must add, in their virtue, not merely as *subjects* of the government, but as *citizens.*

Here, where, suffrage is so nearly universal, the great body of the adult male population sustain to the government a two-fold relation,—the relation of *subject*, and the relation of *citizen.* As subjects, they are held to allegiance; their virtue is loyalty, and their duty, obedience; as citizens, they are constituent elements of the government itself, and share in the administration.

A faithful discharge of all their duties as subjects will not secure the ends of good government. Good government demands, not only strict obedience to the laws, but just laws, and wise administration. The justice of the laws, and the wisdom of the administration depend on the virtue and intelligence of the people, not in their capacity of subjects, but in their capacity of citizens. The republican form of government will prove a total failure, unless the citizens, acting as constituent elements of the government, carry into its administration loyalty to eternal justice; that stern integrity, and disinterested devotion to the public, which will force the government in all its practical workings to seek, always and everywhere, the greatest good of each individual subject, whether high or low, rich or poor.

The chief danger, to which our republican institutions are exposed, does not lie in the disloyalty of the people when acting as subjects, but in their venality and corruption when acting as citizens,—in their increasing want of devotion to the public good, and increasing efforts to convert the government into a machine for promoting their own purely private and selfish ends,—each regardless of the evils he may cause it to inflict on others.

This distinction has not, we apprehend, been always made, nor sufficiently insisted on. The teachers of morality, whether from the pulpit or the press, when insisting on the necessity of popular virtue to sustain popular government, have confined themselves mainly to the virtue of the subject, that is, obedience to the laws, and the faithful discharge of the several duties involved in the various private relations of man with man; and it is still this obedience, and these private virtues, that our clergy have chiefly in view when they speak of the necessity of religion as the support of popular government. Here is one great reason why we have so many tolerable subjects, who are grossly corrupt citizens; and why, with no mean share of private morality, we have scarcely the semblance of civic virtue. There has been with us, in a deeper sense than is commonly implied, a total separation of church and state. Religion and morality, in a political point of view, afford us little or no protection, because they are seldom brought to bear upon the people in their capacity of citizens. They will be sufficient for our wants, only when we are made to feel by our moral and religious teachers, that we must carry with us, in our capacity of citizens, all the singleness of purpose, all the firmness to resist temptation, and all the self-denial and disinterested devotion to the supreme law, that we are required to have in our capacity of subjects or private individuals.

Doubtless the cultivation and growth of our virtues as subjects will tend to strengthen and confirm our virtues as citizens; but, on the other hand, the neglect of our virtues as citizens will tend to corrupt and destroy our virtues as subjects. I carry my selfishness with me into the discharge of my duties as a citizen, and I seek to make laws, or to administer the government, for my own private benefit. But I make the laws. If they are against my interest, why should I obey them? If I obey selfishness in making the laws, I shall be very apt to obey it in keeping them; and if

I am corrupt in what concerns the public, I shall not long remain pure in what concerns individuals. We would not underrate the virtues of the subject, but, in their effects, the virtues of the citizen, in a country like ours, are of far more vital importance. The former affect few, and those only for a short period; the latter affect millions, and it may be through a thousand generations. Our religious and moral teachers should, then, bring the whole force of religion and morality to bear upon our conduct as citizens. The citizen, as distinguished from the subject, is a public officer; in voting, he acts in a public capacity; exercises, not a private right, but a public trust; and, therefore, is bound to vote, not according to his private interests or feelings, but according to his most solemn convictions of the public good. No citizen has a right to say, "My vote is my own, and I may give it for whom I please." The consequences of his vote do not concern himself alone. In voting, he acts for others, no less than for himself. It is not, then, what he is willing to submit to for himself, that should govern him, but what he has the right to fasten upon others with whom he is associated. The citizen, who deposits his vote, should, then, do it under a deep and solemn feeling of his accountability, both to his fellow-citizens or subjects and to the great moral Governor of the universe. He who trifles with his vote, trifles with a sacred trust; he who gives his vote for the party, or the man, he cannot in conscience approve, and thus aids in fastening, what he cannot but believe an injury, on his country, is worse than a thief and a robber. He is a traitor to his God, his country, and his race. Here, no more than elsewhere, can there be the least compromise with duty, without guilt. To the citizen, as to the man, God says, "My son, give me thy heart." We must be made as citizens to feel this, and to act accordingly, or all is lost. Wise and just government cannot long coexist with the utter profligacy of the great mass of our citizens, as citizens. The citizens will impress upon the government their own want of public spirit and integrity. Our great danger lies here,—in our want of high-toned, stern, and uncompromising civic virtue.

It is not our design, in this journal, which is devoted mainly to the discussion of first principles, to mingle in the party strife about special measures or particular men; but there are times, when men and principles are so interlinked, that it is impossible to disjoin them, and treat them separately. Such is, in our view, the present. We have reached

such a crisis in our political affairs, that almost every thing depends, not on the party which now succeeds, but on the *man* we elect president. The great labor should now be to elect a president of the country, not the mere chief of a party,—a man who will go into office, and reform the administration, and wield the whole force of the government against the spoilsmen, and do all that he can constitutionally to arrest the tendency to suffer the politics of the country to lie under the control of the demagogues, as they have been for the last fifteen years. We want a man of high moral integrity, of a high order of intellect, of great firmness, decision, and energy of character, who shall look more than four years ahead; a man who is above all party trickery, and who disdains all appeal to party machinery as the means of his elevation; a man, in one word, the very opposite, in all his moral qualities and party relations, of Mr. Van Buren. We want a man at the head of the government who is a man, feeling his accountability to his Maker, and his duty to sacrifice himself, if need be, for the good of his country, and the moral and social elevation of his countrymen.

Now, it strikes us, is the time for the sound portion of the people, disregarding all old party lines, and laying aside for the moment even favorite party measures, to rally around some such man, whether he has heretofore been called a Democrat or a Whig. Greater questions are at stake than Bank or No-bank, Tariff or Free Trade. The very existence of our republic, the very existence of our government, as it existed in the minds and the hearts of our fathers, and as capable of being a guaranty of individual liberty and public prosperity, is at stake. If the right man, if a statesman, instead of a politician, be placed now in the presidential chair, the circumstances of the country are such, that he can give to the political action of the country a healthy direction, and aid in our restoration to civic virtue. He can dash the hopes of the spoilsmen, and rescue the government from those who would make it an instrument of plundering the many for the benefit of the few. We have carried our ultraism, on both sides, far enough, and go we with the *extreme right*, or the *extreme left*, ruin alike awaits us.

We trust this appeal does not come too late. Sensible men, in all parts of the country, are beginning to feel, that the success of the partisans of Mr. Van Buren, or those of

Mr Clay, representing as they do the opposite extremes, would be fraught with the most serious injury. Corruption has spread far and wide; the two armies of demagogues are marshalled, their drill-sergeants are at work day and night; but it is to be hoped that there is yet a sufficient number not enrolled in either of these divisions, to save the republic. Let these men, who want justice and free government, make themselves heard before it is too late; let them select their man; let them rally to his support; and they will succeed. If not, if they fail, they will have the imperishable glory of having failed in a noble effort for a righteous cause. But they will not fail. There is a moral majesty in the movements of honest men and firm patriots, before which the unprincipled and corrupt cannot stand a moment. They will succeed. The moral forces of the universe are all with those who contend for the right, and let it not be said, that already the chains of party are so firmly riveted on our limbs, and our lips so closely fastened with its padlocks, that we cannot move nor speak.

LIFE AND SPEECHES OF JOHN C. CALHOUN.*

[From the Boston Quarterly Review for January, 1844.]

The life of Mr. Calhoun is intimately connected with the political history of the country, and his biography is necessarily a history of all the political events which have occurred since his entrance into the congress of the United States. Perhaps no one of our statesmen has more completely identified himself with the history of the country. He no sooner entered congress than he took an active and leading part, which he has continued from that time to this. This fact his able and candid biographer has properly appreciated, and has, in giving us a biographical sketch of Mr. Calhoun, given us one of the best political histories of the country,

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*1. *Life of John C. Calhoun, presenting a Condensed History of Political Events from* 1811 *to* 1843. New York: 1843.

2. *Speeches of John C. Calhoun, delivered in the Congress of the United States, from* 1811 *to the present time.* New York: 1843.

for the last thirty years and more, to be found in our literature.

John C. Calhoun, of Irish descent, was born in Abbeville district, South Carolina, March 18th, 1782, and is now in the sixty-second year of his age. He received his earliest education at a school in Columbia county, Georgia, kept by his brother-in-law, Mr. Wardell, a Presbyterian minister. Subsequently, he entered Yale College, where he graduated in 1804, with distinction. He then devoted three years to the study of the law, eighteen months of which were spent at the celebrated law-school at Litchfield, Connecticut, at that time kept by Judge Reeves and Mr Gould; the residue was spent in the offices of Mr. Desaussure (afterwards chancellor), of Charleston, and of Mr. Bowie, of Abbeville. His preparatory studies completed, he commenced the practice of the law in his native district, and at once took his stand with the oldest and ablest lawyers on the circuit.

Mr. Calhoun was not suffered to remain long at the bar. He was soon elected to the legislature of his native state, where he served two sessions. In the fall of 1810, he was elected to the congress of the United States, and has since been, in one capacity or another, connected with the federal government without any intermission, till his recent retirement from the senate. He was a member of congress six years; then secretary of war somewhat over seven, vice-president of the United States from March 4th, 1825, to his resignation in the winter of 1832–3; and senator, from that time till his recent resignation.

This hasty sketch shows us the sphere in which Mr. Calhoun has been placed, and the important and honorable offices he has filled; it tells us little or nothing of the man or of the statesman. To be able to form any tolerable estimate of the man and the statesman, we must look to the questions in which he has been called to take part by his position and office, and to the part he has actually taken. Our limits will permit us merely to glance at a few of the more prominent of these questions. The principal questions which came up during the time Mr. Calhoun was in congress, were, 1. The War with England, 2. The United States Bank, 3. The Tariff and Internal Improvements.

With regard to the first, Mr. Calhoun took an active part, and his first speech in congress was designed to urge immediate and ample preparation for war. He was a uniform supporter of the war, and no man in congress did

more to suggest, mature, and obtain the adoption of efficient measures for prosecuting it, and no one in the country did more to stimulate the courage and the patriotism of the people. If the war was a just, necessary, and patriotic war, Mr. Calhoun's course in regard to it was wise, bold, efficient, and deserving the warm approbation of his countrymen.

He also took a prominent part in the bank question. At this time the bank was an administration measure, and therefore a measure of the Republican party, with which Mr. Calhoun generally acted. It was not then, as now, a measure of the Federal party; it was demanded by a Republican administration, at the head of which was James Madison, and was supported by the more prominent individuals among its friends. It should also be remembered, that the circumstances under which the project of a bank was then put forward and supported, were very different from those under which the recharter of the late Bank of the United States was urged, and the end proposed to be accomplished by it was by no means the same. Nothing is more plain than that congress does not possess the substantive power to create a bank; but it is equally clear, that it has the power to create one, whenever it becomes *necessary* to enable the federal government to discharge its constitutional functions. It is a power possessed only as an incident to other powers.

How far the regulation of the currency beyond that of coining money, or putting its stamp on gold and silver, is the duty of the federal government, may possibly be made a question; but, for ourselves, we have always agreed with Mr. Webster, that the currency is placed exclusively under its control; and therefore if a paper currency is admitted at all, it must be subject to federal regulation. Of course, then, if a United States bank were necessary for this purpose, the right to create one would rest in congress, as incident to the power to regulate the currency. But, however this may be, when the government is placed in such a condition that it cannot perform its express and unquestionably constitutional functions without a bank, congress has a right to create one; as the grant of a power, or the imposition of a duty, carries along with it, always, all the powers necessary to the exercise of that power, or the performance of that duty; and also because the constitution expressly declares, that congress shall have power to make all laws necessary for carrying into effect "all powers vested by this constitution in the government of the United States, or in any department or officer therof."

Now, it was contended at the time, in the then existing state of the currency, that the government, in its financial department, could not go on without a bank. The currency was deranged, specie payments were suspended by the banks, and the government, in consequence of its connection with them, was obliged to receive its dues in their irredeemable paper. This paper was of unequal value in different parts of the Union. Its depreciation was as great as twenty per cent in the District of Columbia, compared with that of Boston. How was it possible, in this case, to collect the revenues in a medium of uniform value, so as to obey the constitution in not giving to one port in the Union an advantage over another? How, with this paper currency, varying in value as you passed from one state to another, and from one section of the Union to another, was it possible to equalize the imposts and taxes? It was necessary to compel the resumption of specie payments. To do this was the right and the duty of the government. The only question was as to the means. If a bank was necessary, a bank would, of course, under this view of the case, be constitutional.

The administration believed a bank to be necessary and essential to the financial operations of the government, as well as for the general regulation of the currency of the country in view of trade and commerce. The case of the banks, at this time, was very different from what it was in 1837. In 1837 the banks suspended payment because they had made over-issues to individuals who were not in a condition to be coerced into payment; and the suspension was rather a measure of relief to the debtors of the banks than to the banks themselves. A measure of the federal government, at that moment, compelling the banks to resume *instanter*, would have fallen not only with great weight on the banks themselves, but with a crushing weight on the great mass of the business men of the country. The recharter of a United States bank in 1837, then, would have been a measure of terrible severity, and would have added not a little to the embarrassments from which the whole industry of the country was already suffering. But, at the former period, the case was different. The banks had overissued, but as Mr. Calhoun has remarked, they had overissued to the government, a solvent debtor, whose stock was at par. The banks held this stock, and might have gone into the market and sold it for specie, and with that re-

deemed the excess of their issues. But this they would not do. They chose rather to draw interest on the stock, by discounting on it as capital, and to profit by its continued rise in the market. It was necessary to compel them to surrender these advantages which they held. The case here had scarcely any analogy with that of 1837; and the reasons for a bank, in the former case, were of a very different force from what they were in the latter. The principal weight of the bank, in the former case, would fall not on the debtors of the banks, but on the banks themselves, and be felt in compelling them to use the government stock for taking up their over-issues, instead of using it as the basis of speculations.

It must be borne in mind, that the goverment was so linked in with the banks, by the fact of its treating their issues as money, that, at that time, the total separation of the government from them, by its refusal to receive, and pay away their notes, was out of the question. Moreover, public opinion in relation to banks and banking would not, even for a moment, have sustained the government in so bold a measure, had it attempted it. No practical statesman could, at that epoch, have proposed such a measure. The boldest measure practicable was the resolution, introduced by Mr. Webster, in 1816, prohibiting the treasury from receiving or paying away the notes of any non-specie-paying banks, in the collection and disbursement of its revenues.

But two methods of relieving the embarrassments of the government, and of compelling the banks to resume specie payments, were then possible, one, a national bankrupt law, and the other, a national bank. Mr. Calhoun was, as now, opposed to the former, as harsh and unconstitutional; for, evidently, if the states have the right to incorporate banks, the exercise of that right cannot be controlled by the action of the federal government, as it would be, by including them within the operations of a bankrupt law. Nothing remained, then, but a national bank. Mr. Calhoun, then, finally, with the greatest reluctance, went with the Republican administration, and the leading Republicans of the time, in support of a national bank. But even then he was unfavorable to a bank, regarding the question as one of bank or no-bank.

"In supporting the bank of 1816," he says in a speech in the senate, in 1837, "I openly declared, that, as a question *de novo*, I would be decidedly against the bank, and would be the last to give it my support.

I also stated that, in supporting the bank then, I yielded to the necessity of the case growing out of the then existing and long-continued connection between the government and the banking system. I took the ground, even at that early period, that so long as the connection existed,—so long as the government received and paid away bank-notes as money,—it was bound to regulate their value, and had no alternative but the establishment of a national bank. I found the connection existing before my time, and over which I could have no control. I yielded to the necessity, in order to correct the disordered state of the currency, which had fallen exclusively under the control of the states."

Mr. Calhoun is eminently a practical statesman. Although possessing uncommon powers of generalization, as well as of acute analysis, and disposed always to look to first principles, yet he is always ready to yield, when necessary, to the force of circumstances. Though never, properly speaking, a bank man, and opposed to a national bank in principle as a measure of independent and permanent policy, yet, in the circumstances in which he found the government and the country, in 1816, he could support a bank; and we certainly, as strongly opposed as we are to the whole banking system, see not how he could have done better; for we are decidedly of the opinion that, if the federal government will treat bank-notes as money, receive them and pay them away, it is bound to regulate them, and a national bank seems, and has always seemed to us the only feasible method of doing it.

In the third question, relating to the tariff and internal improvements, Mr. Calhoun had also occasion to take part. In regard to the tariff, the question, in 1816, was not a question of laying a tariff of duties for protection, but that of adjusting the war tariff to the relations of peace. The war had been the occasion of calling into existence various manufacturing establishments, which, supported by the high war duties, had attained to a state of considerable prosperity. It was feared that peace, and a reduction of duties, would, by allowing a large increase of foreign importations, crush these incipient establishments, to the ruin of their proprietors, and the serious injury of the country. The country had suffered much, in the early part of the war, from its inability to meet at once the demands for consumption created by the sudden diminution of foreign importations. To guard against this evil, to save the establishments already in existence, and to continue the stimulus which had already been given to the manufacturing industry of the

country, a discrimination was called for in the new tariff in favor of such articles as were, or might be, the growth and manufacture of our own country. It was not a question of laying new duties, but as to the degree of discrimination to be exercised in reducing or taking off, already existing duties. Mr. Calhoun supported, or rather assented to, the discriminations demanded by the manufacturers.

It is probable, and we feel fully assured, that, if the broad, naked question of protection had then come up, and congress had been called upon, as it was in 1824 and 1828, to adjust its tariff expressly with a view to protection, Mr. Calhoun would, even then, have been opposed to the protective, or more properly, restrictive system. But he does not appear at that period to have fully investigated the subject, and we think he yielded more than he should have done. Then was the time to have resisted the system; and the only practical error we have found in Mr. Calhoun's long career as a statesman is, that he did not resist it. To say, as some do, that he is the father of the system, and that he fastened it upon the country, is not true; and the moment the question came up in regard to a tariff, not for revenue, but for protection, he was found, where he has continued, in opposition to the system. The tariff of 1816 was a tariff for revenue; revenue was its sole object; and it touched the question of protection only incidentally, only in not reducing the duties on certain articles so low as they possibly might and would have been if in adjusting them no reference had been had to the demands of the manufacturers. But even this was too much.

We do not find that Mr. Calhoun ever committed himself to the constitutionality of the vast system of internal improvements by the federal government, which was commenced soon after the return of peace; but we have little doubt that for a moment he shared in the strong tendencies of the times. The effect of the war had been to draw off attention from the states, and to concentrate it on the federal government; at least, this was the fact so far as the Republican party was concerned. During the war, the rights of the states were defended by the Federalists. War has always a centralizing tendency, and of course the party waging and sustaining the war will always feel this tendency the most. Add to this that the party in favor of the war meets resistance not only from individuals, but from states acting as states, which was the case in the war with Eng-

land; and it is easy to see that it will be led to restrict as much as possible the sphere of state action, and to enlarge and consolidate the powers of the federal government. Now this is precisely what actually occurred. The Republican party originally inclining to the state-rights doctrines, and distrustful of the centralization of power in the federal government, was the party that declared and sustained the war. In doing this it had been forced to sustain the federal government against the Federal party and the states in which that party was in the ascendency. All its habits and feelings came thus to be on the side of the federal government, and to carry it away by a strong tendency towards centralization. Its members were strongly impressed, not with the necessity of maintaining the reserved rights of the states, but with the value of the Union and the necessity of a strong and efficient central government. The Hartford convention, which was got up as a sort of safety-valve, as a means of letting off the superfluous steam which a violent opposition to the government and the war had generated in New England, had made many fear for the stability of the Union and turn their attention to the means of consolidating and strengthening it. A vast system of public works, carried on by the federal government, extending through all parts of the Union, and connecting all the extremities with the centre, and affording facilities to internal trade and intercourse, would obviously tend to this end. Men's minds were dazzled, and they began to dream of a great, a splendid republic, one and indivisible, under a government fostering all interests, literature and science, prepared for all the emergencies of war, and all the arts of peace.

That Mr. Calhoun for a time shared this tendency, then the tendency of the Republican party, we have no doubt, and that he was for a time disposed to countenance it, we think not unlikely; but if so, he soon corrected himself, and resumed the genuine state-rights doctrine,—a doctrine which divides with us the *exercise* of the powers of government between two coördinate governments, the state government and the federal, leaving to the state the exercise of all the functions of government except those expressly committed by the states to the federal government.

Mr. Calhoun's career as secretary of war deserves a full and extended notice, but we are obliged to pass it over with a single remark. He found the department in the utmost disorder and confusion, and in a very few months he wholly

reorganized it, increasing its efficiency while at the same time retrenching very considerably its expenses. He here showed in his reorganization and administration of the war department, during the seven years of his secretaryship, those remarkable administrative powers, unequalled by any executive officer we have ever had, and never surpassed by any one in modern times, unless perhaps by Napoleon. As much as we admire Mr. Calhoun as a clear, profound, and original thinker, as the able and manly parliamentary orator, as the philosophical politician, we are far more impressed by his consummate ability as an administrative officer. He has remarkable powers of combination; sees at once precisely what is to be done; and is unerring in his selection of his means and agents. We have no other statesman that can challenge comparison with him. He knows how to accomplish his ends, to establish a rigid accountability in every department, and to render it all but impossible for his agents to prove unfaithful or dishonest. Not a single defalcation took place in his department during the time he was at its head, and of the millions of dollars that passed through the hands of his subordinates, not a cent was lost to the government. One is tempted to ask the "Sage of Lindenwold," whether he can say as much of the four years that it was his good fortune to be at the head of the federal administration.

We have dwelt the longer on this period of Mr. Calhoun's career, because it was in this period that he laid the foundation of his popularity, and established his claims to be considered one of the very first men in the country; and because it is the period of his life that the younger aspirants now on the stage are least familiar with, and the oftenest misapprehend. We cannot follow him minutely in his subsequent career as vice-president for nearly eight years, and as senator since the winter of 1832-3. During the leisure and opportunity which the light duties of his office of vice-president afforded him, he seems to have matured his views on all the great leading questions of government, of the constitution, political economy, and the general principles of legislation, in which he has since taken part. The most important of the questions on which he has given his views are the restrictive system, the nature, extent, and limitations of the federal government, and of the rights of the states; the currency; the United States Bank and the banking system; distribution of the proceeds of the sales of the

public lands; the bankrupt laws; the *Enterprise* and *Creole* cases, involving questions of international law; the Ashburton treaty, &c.

Of the restrictive system, the protective system, or American system, Mr. Calhoun has been the steady, uniform, and uncompromising opponent from the first,—the not pressing opposition to it in the form it came up in 1816 excepted, and then, as we have seen, he gave it no positive support. The real father of the system is Mr. Clay, a brilliant orator, of great ability, but a short-sighted statesman,—a man of expedients, not given to "abstractions," nor accustomed to look for first principles, captivated always by what appears plausible and likely to produce an immediate partial good,—a great man in his way certainly, but perhaps the unsafest of all our public men to be intrusted with power, or the general administration of the government. Mr. Clay, we doubt not, was honest in bringing the system forward, and in supporting it; and he no doubt believed that it would prove highly advantageous to the country. But he never understood the operation of the system. Mr. Clay, so far as he has or ever has had any definite theory of government, is a democrat in the worse, and in the better, sense of the word. When he first moved this measure, we have no doubt, that his real motive was to benefit the industrial classes, and at that period the industrial classes were far from being as sharply divided as now, into *proprietors* and *proletaries*. Especially was this true in his own section of the Union. The industrial classes were, in one way or another, nearly all producers, and his object was to secure them a market for their produce, or rather to enable them to exchange their industry for the various necessaries and conveniences of life.

Now, he said, with foreign trade, this cannot be done; because foreigners exclude our produce. We must therefore build up factories of our own, which will take the raw material of us, and give us manufactured goods in return, and then we shall be independent; both producer and manufacturer will be benefited. What if the article manufactured at home costs more than the imported article? Let the imported article be never so cheap, you cannot buy it, without you have the wherewithal to pay for it; and as you cannot pay for it in produce, you must, if you buy it, pay for it in money. But you must first get the money; and how can you get the money unless you sell your produce for

money? But that is impossible, for there is none to purchase it and pay us money for it. But if the article is manufactured at home, you have the means of purchasing it, because you can exchange your produce for it; and though it may be nominally dearer, it will be actually cheaper, than the imported article, because the former is purchasable, and the latter is not. This, if we recollect aright, is the sum and substance of his famous speech in committee of the whole, in 1824, though we have not read the speech since the spring of that year.

Now this at first glance is plausible, but it is exceedingly fallacious. If Mr. Clay's premises are true, his protective system is unnecessary. Did it never occur to him, that it makes no practical difference, as to the effect on our manufactures, whether it is the foreigner who excludes our produce, or we who exclude his manufactures? Foreigners can sell to us only on condition that they take in return, directly or indirectly, what is the growth or manufacture of our own country; consequently, this refusal to do this excludes them as effectually from our markets, as would a law of our own imposing absolutely prohibitory duties. If then it was true that foreigners would not, as Mr. Clay alleged, take our produce, there was no occasion for restrictive duties; because this refusal of foreigners prevented them from coming into our markets to compete with our own manufacturers. If this was the state of things, as Mr. Clay assumed, the restrictive system was useless and absurd; if there was not this state of things, that is, if foreigners would buy of us our surplus agricultural produce, then the interest represented by Mr. Clay did not demand the policy he supported, for the foreign market was better for it than any artificial home market that could be created.

Mr. Clay's policy was, evidently, to confine American industry to American markets,—a narrow, contracted, and barbarian policy, wholly unworthy of the liberal spirit of modern times, which seeks to mould the whole human family into one vast association, and to make of the boundary lines of nations little more than the lines which separate different provinces of the same empire. He sought to isolate us from all the rest of the world, and to make us a nation wholly apart, without taking any interest in the general affairs of mankind. We would raise our own raw materials, and work them up for ourselves; just as if Providence would suffer a nation, more than an individual, to subsist in complete iso-

lation! Each nation, no doubt, revolves on its own axis, but only as the condition of revolving around another centre, and of performing its part in the general system of nations with which it is connected. America has a part to perform in the general *rôle* of nations, and from which it has no right to attempt to withdraw itself. It must contribute to the weal of nations, as well as to its own weal. Nations have no more right than individuals to be governed by complete selfishness. They should be animated by generous ideas, and pursue, not a selfish, but a generous policy. Mr. Clay, who is a man of strong feelings and generous impulses, felt this, when he favored the emancipation of Spanish America, of the Greeks, the Poles, &c., and we are sorry that he did not, when it concerned the peculiar interests of his own section of the country.

But the policy was not only illiberal, anti-social, and repugnant to the general mission of America in the work of modern civilization, but it was necessarily impotent with regard to the end for which it was sought. The great interests of our country are the planting interest, the farming interest, the commercial, and the manufacturing interests. It was the farming interest, the agricultural interest, as distinguished from the planting interest, that Mr. Clay represented, and wished to promote. This was the interest of his more immediate constituents, the western and middle states; and he sought to benefit them, by creating a home demand for their surplus produce. It was not the manufacturing interest, as such, that he cared for, and he sought to advance it only as the condition of fostering the farming interest. That this was so, is evinced by the fact, that his policy was supported, built up, and fastened on the country by the middle and western states, where this interest predominates, against the votes of both the North and the South, representing the commercial and planting interests. Now, the slightest glance at the wide extent of our farming country, and its vast agricultural resources, is sufficient to show us, that no home market, which it is possible to create, can by any means satisfy its wants. Obviously, our cotton factories, unless we should manufacture for the whole world, cannot work up all the raw cotton we can grow; equally obvious is it, that no manufacturing population that we can create can consume more than a small portion of the surplus beef, pork, corn, wheat, &c., we can produce, if we at all develop our agricultural resources. Thus far the home

market has done and does little or nothing towards determining the prices of the great agricultural staples of the country.

Mr. Clay's policy, say what we will of it, was either unnecessary or inadequate, let alone its justice, its constitutionality, and its effect on the relative position of the two classes of industrials, namely, proprietors and proletaries. And this fact is now beginning to be very clearly seen and felt. The planting interest was always opposed to the restrictive system; the commercial never more than reluctantly acquiesced; and that only because the wants of the manufacturing interest required an importation of articles, not the growth of this country, nearly equal to the diminution they otherwise occasioned, and more especially because the banking system, strengthened by the public deposits, greatly enlarged by high duties, by expanding the currency, so raised the prices of all artieles, that it could come in over the restrictive tariff, pay the high duties, and still make a handsome profit; and now the farming interest feels the inadequacy of the home market, and demands admission into the foreign. It feels that Mr. Clay's policy, which it so eagerly embraced, and so cordially supported, is really insufficient and hostile; and that by closing, to some extent, our markets to foreign manufactures, it closes foreign markets to our agricultural products. The system is, therefore, now rapidly arraying against itself the three great and leading interests of the country, the planting interests of the South, the commercial interests of the cities, and the farming interests of the middle and western states; and it must necessarily be soon abandoned. The true policy for the manufacturing interest, in this state of things, is to acquiesce and make the best bargain it can. It is able now to take eare of itself, and its further extension should be left to its own natural development. Its natural growth will be as rapid as the wants of the country demand, or its healthy state will admit. It can no longer rely on the restrictive system. Too powerful interests are leagued against that system to suffer it to remain as the permanent policy of the country. It may be adopted by this congress, but it will be repealed, or essentially modified, by the next; thus keeping the country in a state of constant agitation, and business uncertain and fluctuating. The manufacturers should therefore demand, at least consent to, such policy as, from the fact of its being just to all sections and interests, will stand a good chance of being permanent.

The government must rely principally on the customs for its revenues, and it will want, even under the most economical administration, every cent that it is possible to raise from them. We shall be obliged to lay as light duties as can be laid without diminishing revenue itself. These, we take it, will average about twenty-five per cent; higher than this they would, we are inclined to believe, tend to diminish instead of increasing revenue; and less would not give us a revenue adequate to the wants of the government. A revenue tariff,—to which nobody objects,—averaging, say, twenty-five per cent on all our imports, would afford the manufacturers all the incidental protection they need, or should have the face to ask for.

Taking this view of the case, we confess that the tariff question does not interest us so much as it once did, and we think the controversy respecting it is in a fair way of being soon brought to a satisfactory close. But this was not always the case. The system had another aspect, which made it exceedingly unjust and oppressive to the southern section of the country. If the manufacturing districts at the North could have taken up the main portion of the staples of the South, perhaps there would have been in the system no great sectional unfairness. But the home market they created for the southern staples, cotton, rice, tobacco, &c., was altogether so inadequate that it had little or no effect in determining their price. The planters had, after the adoption of the system, the same need of foreign markets that they had before. But the tariff, by restricting foreign imports, had a double effect; it lessened the foreign demand for the staples of the South, and raised the price to the planter of all manufactured articles he must purchase in return for his staples. It thus diminished his means, yet augmented the price of the articles he consumed. It bore with peculiar hardship, therefore, upon the South. The North, which manufactured, though paying the same price for the articles it consumed, did not feel it, because it was the manufacturer, and because it was further indemnified by the protective bounty. But there was no drawback in favor of the South.

Nor was this all. The revenues were raised from the customs by a tax on importations. But the imports can have no other basis than the exports of the country. A tax, therefore, on imports is effectively a tax on exports. The tax enhances the price to the consumer; and nothing is

better established than that just in proportion as you enhance the price to the consumer do you diminish consumption. By diminishing the consumption, you diminish the ability of the foreigner to sell, and, of course, his ability to buy. Consequently, the exporter finds the ability of his foreign customer to buy of him diminished just in proportion as the tax on imports has diminished their consumption. He must then export less, or at a less profit; in either case, his means are diminished in the same proportion that the means of his customers are diminished. He must abate of his exports enough to place his foreign customer in the same condition he would be in, if the tax on his customer's wares, when imported into the country, had not been laid; which proves that it is virtually the exports that pay the tax on the imports.

Now, the exports were principally from the South. Its great staples were the basis of our imports; and as the revenues of the government were derived from the customs, the South virtually paid all the taxes for the support of the government. The tariff was therefore evidently unconstitutional, because the constitution requires the taxes to be apportioned equally among the states, according to the federal census; and it was peculiarly oppressive to the South, because it threw upon it all the burdens of the government, while it depressed its industry, and not only exempted the North from taxation, but gave it a bounty on *its* industry.*

Mr. Calhoun was one of the first to see the inevitable tendency of the system, and to expose it. But what could reason and expostulation do? Mr. Clay had made the great farming states—commanding, when the others are at all divided, a majority—believe it for their interest to support it, and against New England and the South, it was adopted. The power of these great central states the sagacious Gen-

*While we may strenuously contend for freedom of commerce, as between nations, we by no means give in to the modern free trade, or *laissez faire* policy, as advocated by the late lamented William Leggett, and others. It is on other principles that we found our opposition to the restrictive system We have no confidence in what is said about individuals being the best judges of their own interests, and that all that is necessary for the peace and prosperity of a people is to leave them to the natural workings of *free competition.* The duty of government is not simply to let us alone, to leave us to ourselves, and content itself with merely maintaining an open field for the full play of our natural selfishness. This would be for government to abdicate itself. We hold it to be the duty of government often to take the initiative, and by a wise and sound policy to foster and direct the industry of the country.

eral Jackson was not slow to discover; and finding them wedded, for the moment, to the restrictive policy, he adopted it, against the interests of his own section, and against the best interests of the country, and gave it the support of his astute politics and immense personal popularity; and as if determined it should be the permanent policy of the country, he was hardly seated in the presidential chair, before he recommended the distribution of the proceeds of the sale of the public lands among the states,—a measure which, in common charity we presume, was concocted in the Albany Laboratory. In this case, Mr. Clay, at the head of the opposition, supporting the unequal, unjust, and unconstitutional measure; General Jackson and his friends also supporting it in principle, and consenting to modify it only in a few details, and these mostly in a sense unfavorable to the South, what could be done?

It was the gloomiest time the country has ever seen. The constitution had become only so much waste paper; the principles of constitutional republicanism were lost sight of, by one party and the other, and opposition and administration both seemed to agree, that any measure, which the majority of the people were in favor of, could in all cases rightfully pass. It was a day of trial. The sage of Monticello had seen the tendency, before his death, and raised his warning voice, but his countrymen paid no attention to it; the glory had departed from the Old Dominion; New England had been forced into the support of the obnoxious policy by the middle and western states, and being the chief gainer by it, could not be expected to go against it; the great mass of the active politicians were more concerned about the "spoils," than they were about the wise and just administration of the government, and even the chief of the administration felt so little the responsibility of his situation, that he found ample leisure to interfere in the visiting and social relations of the families of his secretaries. What could be done to save the country? who was there to do it?

There was but one man in the country who could, or who, being able, would, at this juncture, have dared to step forth to arrest the fatal tendency, and to save the Union, the country, and republican institutions. This man was John C. Calhoun. He had the sagacity to perceive, and the courage to adopt, and the energy to force the adoption of, the only practicable measure left. Going into a profound analysis of our system of government, guided by the teach-

ings of Jefferson, he recalled to his countrymen a fact which, since the return of peace, they had overlooked and forgotten; that the federal government is a constitutional compact, entered into by sovereign states, and therefore that the sovereignty with us vests not in the federal government, but in the states, parties to the compact. In forming the compact, the states did not part with their sovereignty, but merely formed a mutual compact, by which they solemnly stipulated, that certain specified attributes of sovereignty should be exercised henceforth, not by each state separately, but by all in common, or conjointly. In this case, the allegiance due from the subject to the sovereign, is not due to the federal government, but to the state. The federal government reaches me, a subject of Massachusetts, only through the government of Massachusetts, and I therefore only owe such obedience to the federal government, as Massachusetts has enacted.

This view, of course, leaves the state free to exercise all the functions of government, except those which she has stipulated shall be exercised only conjointly with the other states of the Union. She has then, by virtue of this reserved sovereignty, the right to set aside, in her own dominions, any and every act of congress which is not authorized by the terms of the constitutional compact. The parties to the compact being equal, and there being no common umpire, each, as a matter of course, is its own judge of the infraction of the compact, and of the mode and measure of redress. The state then, if she judged proper, had the sovereign right to set aside this obnoxious tariff enactment, in her own dominions, and prohibit her subjects, or citizens, from obeying it; and they, on their allegiance to the state, and not to the Union, would be bound to treat it as a nullity. The resistance, firm, decided, of a single state, would of course prove effectual; for the machinery of governmen would thus be stopped as effectually as the tribunitial veto arrested the act of the Roman senate.

We here merely state the doctrine; but we intend hereafter to take it up at length, and to do our best to determine if possible, once for all, its soundness or unsoundness. All we would now say is, that we have no sympathy with those political friends of Mr. Calhoun, who seek to palliate his doctrine concerning state interposition, and to forget, and to induce the country to forget, the part he took. We hold ourselves among the warmest, if not among the most politic,

of Mr. Calhoun's friends, and we are willing and anxious to rest his claims to the admiration and gratitude of his country on the part he took, by means of the interposition of state action, in arresting the obnoxious policy. It is here, more than anywhere else, that is revealed his disinterestedness as a man, his fidelity as a patriot, and his courage, force, and wisdom as a statesman. It was a proud moment for Mr. Calhoun, that when he arose in the senate chamber, to pronounce his protest, and that of the chivalrous state he represented, against the coercive measures recommended by the administration ; when, with the axe of the executioner suspended over his head, and the chief of the nation watching eagerly for an opportunity to command it to fall, with the whole force of the government arrayed against him on the one hand, and on the other the whole force of the opposition, scarcely inferior,—when he rose there and stood unmoved, and with his single force turned back each hostile army, and laid their respective chiefs at his feet, and dictated to them the terms on which he would grant them mercy. There is no instance in our history where a man has dared so much, nor where such daring has been crowned with so sudden and so signal a triumph. The moral attitude of the man at that moment was sublime, almost beyond a parallel in history He set then to the statesman an example of civic virtue, of moral heroism, of patriotic devotion, and of consummate wisdom and skill, rarely, if ever, before, exhibited in so eminent a degree, and which none but statesmen of the very highest order can even appreciate, much less follow. Shall a friend of Mr. Calhoun blush at this sublime example, which every republican statesman should struggle, in case of need, to imitate ? Shall we pass lightly over it, for fear we may kindle up anew some old prejudices, and perhaps endanger his success as a candidate for the presidency ? What is the presidency of these United States to such a man as Mr. Calhoun ? Just as if an election to the presidential chair were a new triumph for him, who alone had proved himself more than a match for the combined forces of both administration and opposition ; and who had seen both Jackson and Clay at his feet ! Just as if he had not already risen higher, and achieved honors far above all possible official rank and dignity ! It may be a matter of some moment to the country, whether Mr. Calhoun shall or shall not be president of the Union ; to himself it is none at all. The presidential chair may receive new lustre and dignity from him ; to him it can give none.

We have heard it said, that Mr. Calhoun is ambitious; and we believe he is ambitious; but his ambition is of that sort which is incomprehensible to the ignoble minds who aspire to place and power as the means of acquiring wealth or renown; it is of that sort which leads a Socrates to persist in teaching the youth of his country to love truth and practise virtue, at the risk of being condemned to death; the Decii to devote themselves for the salvation of the republic; and the saint to prefer burning at the stake, to the abandonment of principle, or the desertion of the cause of God and humanity. Ambition of this sort he has, and in a much larger abundance than falls to the lot of ordinary mortals; and we thank God that, for the honor and safety of our common country, it is so. Little men, petty politicians, unconscious of aught great or generous in their own feelings or motives, may fancy that, in his resistance to the tariff of 1828, he was governed by spite towards the chief of the administration, and that he was moved by disappointed ambition! Disappointed ambition! Why, he stood the second officer in the republic, and with one foot, as it were, in the first office, the most popular man in the nation, at least with a single exception, and able at will to rise to the highest official rank and dignity the country could give. Such a man's ambition disappointed? Preposterous. That he was disappointed in General Jackson, whom he had generously supported for the presidency, that he may even have spurned with contempt the petty intrigues, the narrow and selfish policy, introduced by politicians of the Albany school, whose loftiest maxim was, "to the victor belong the spoils," is very possible; but no man, holding the position he held before the country, could possibly have taken the course he did, risked so much, sacrificed so much, from any purely personal motive. Say, if you will, his doctrine was unsound, or, that its application was uncalled for; but do not, we beseech you, so libel your own hearts, and your own knowledge of human nature, as even to pretend that a man can do what he did at the command of any other voice than that of the deepest convictions of duty, the loftiest patriotism, and the most generous devotion to principle.

We confess that we linger, with uncommon pleasure, and hope, on this period of Mr. Calhoun's life. In these days of venality and corruption, of selfishness and plunder, when patriotism is scouted, and civic virtue scarcely ever thought of, it is some consolation to find one, even in the ranks of

the highest, who can be moved by more generous impulses than love of popularity, and follow the lead of a loftier ambition than the mere selfish possession of place and power. His example is full of moral grandeur, and with superb majesty rebukes the whole herd of selfish and intriguing aspirants. It proves that Providence has not wholly deserted us and given us over to a reprobate mind, and permits us to hope, even in these hours of darkness, that there is in the country the virtue that will redeem and save it. Yes, my countrymen, there is yet hope for us; the Providence that watched over us in the days of our childhood, that, from the little band of wanderers in the desert, has enabled us to become a great and mighty nation, and whom we have so often proved by our transgressions and hardheartedness, is yet with us, and will deliver us.

We wish our limits would permit us to go through with an analysis of the remaining questions, and point out the part Mr. Calhoun has taken; but this we cannot do, for it would be to rediscuss all the great and leading questions which have agitated the country since 1834. In all these questions Mr. Calhoun has taken part, freely, boldly, independently,—sometimes on the side of the administration, sometimes on that of the opposition, sometimes against both,—but always in obedience to the same leading thought, the same elevated, generous, and patriotic policy. He never offers a factious opposition, nor yields an indiscriminate support. He always considers every question on its own grounds, and supports or opposes it for its own merits or demerits, never in reference to its bearing on this or that party; thus acting always from his own independent convictions,—from party dictation, never. Here he is strikingly distinguished from the chief of the Albany school—below whom, in the virtues of the partisan, he falls as far, as he rises above him in the virtues of the citizen, and the accomplishments of the statesman. Mr. Van Buren has, in politics, no standard of right and wrong but the will of his party, on the surface of which he floats ready to take any direction the selfish views of its managers may give him; he is always pliable, manageable, with no obstinate convictions of his own in his or anybody's way. He is the *beau ideal* of a true party man, riding, as we said of him some years ago, on the storm, but *not* directing its course. We cannot say as much of Mr. Calhoun. His deficiencies in a party sense are notorious, and not to be concealed. He may

use party, but he will not serve it; he may give law to it, but absolutely refuses to take the law from it. He assumes to judge even party itself, to labor to set it right, where wrong; and, if he cannot set it right, he keeps on his course without it, or even against it. Mr. Van Buren is loyal to party; he will adhere to his party, when it is in the minority, as well as when it is in the majority; for he relies for his own success, not on his own personal merits as a man, or a statesman, but solely on the success of his party; thus merging, without reluctance, his own individuality in his party, and consenting to be nothing out, or independent of it; yet, if his party is divided, he takes good care to maintain a prudent reserve, or to vote with the larger division. What enemy of his has ever been able to isolate him from his party? Mr. Calhoun, on the contrary, is often found voting with the minority of his party, often completely isolated from it, and not unfrequently in decided opposition to it. Ascertain where his party is going, and you know where to find Mr. Van Buren; to know where to find Mr. Calhoun, you must comprehend his principles of government, and his views of governmental policy, and perceive clearly where these lead, for there you may know beforehand he is sure to go, with, without, or against party, as the case may be. To men whose rule of action is to go with their party, and who have yet to learn that true consistency is in standing, not by one's party, but by one's principles, all this may seem very inconsistent, and to mark a man on whom no reliance can be placed; to men who, conscious of no individual merits or responsibilities of their own, seek to merge themselves in the irresponsibleness of party, all this may seem a very great imprudence, even a crying sin; but we need not add that it is the only course a high-minded and honorable man, conscious of his responsibility to his God and to his country, ever will, or ever can, take.

We will close our present remarks by saying, that we have introduced Mr. Calhoun into our pages, without reference to the fact that he is now before the American people as a prominent candidate for the presidency. Whatever may be our personal feelings and wishes, we are, in point of fact, in no sense pledged to his support, and speak in no sense as the organ of him or his friends. In this journal we are non-committal on the presidential question, save so far as opposition to the reëlection of Mr. Van Buren is concerned. To Mr. Van Buren we are decidedly opposed, and

for reasons given in the preceding article. We are not opposed to him because we prefer Mr. Calhoun, or because we have a personal preference for some other candidate; but on principle, because we find in him no one qualification for the office to which he aspires, and because he represents, at present, a loose political radicalism, which we believe it the duty of every citizen who loves his country and wishes to preserve her institutions, firmly, boldly, and perseveringly to resist to the last. The people, in 1840, not without justice, demanded a change in the administration of the government, though we thought then, and still think, that that was not the most auspicious time for making it; but as they demanded it, and effected it, we contend that it would be worse than folly now to attempt to reverse their decision, and to restore the elder branch of the Bourbons. At the moment Mr. Benton made his move in favor of Mr. Van Buren, we, in our humble way, commenced a countermove; and whichever may prove ultimately successful, we shall persevere in our opposition to the end.

We own that we should rejoice to see Mr. Calhoun in the presidential chair, not because he is a state-rights man, not because he is an anti-tariff man, not because we adopt his views of most of the leading questions of the day, but because he is a pure and upright man, an honest, able, and high-minded statesman, and—no demagogue, or friend of demagogues. In the present crisis of the country, it is of much more importance to choose a man who will administer the government with a strong and honest hand, and rescue it from the control of the demagogues and spoilsmen, than it is to choose one of this or that political creed. The times require all who wish well to republican institutions to act from higher considerations than the success of this or that party. Any man, on whom the *sound* part of the people may unite, is our man. We go for the country, not for party, nor for *justice* to this or that individual. Mr. Van Buren's friends may think he ought to be reëlected in order to save his reputation, and it may be so; Mr. Calhoun, his friends feel, needs nothing for himself; his reputation and fame are in no danger.

MR. CALHOUN AND THE BALTIMORE CONVENTION.

[From Brownson's Quarterly Review for April, 1844.]

We are obliged, in consequence of the unexpected length of some of the other articles promised for our present number, to reserve, for a future occasion, the proposed continuation of the essay on the Life and Speeches of John C. Calhoun. Having, however, a few spare pages at our command, we devote them to some remarks suggested by Mr. Calhoun's recent letter to his political friends, refusing to receive a nomination from the Baltimore convention as a candidate for the presidency.

We have read this letter with much interest, and with great satisfaction, so far as it bears on Mr. Calhoun personally. It is what we expected from him, and what he owed to himself and to his friends. No man, who knew Mr. Calhoun, could expect him, and no one, who at all respected him as a patriot and statesman, could wish him to countenance, in any way, manner, or degree, a measure so corrupt, so hostile to republicanism, and to all elevated and manly politics, as must be the demagogues' convention, to assemble at Baltimore next May. The policy of such conventions at all is more than questionable, and can hardly be supported by a wise statesman, even when the delegates are fairly and honestly chosen, by the people at large, in the spirit of the compromises of the constitution; but conventions, like this, consisting of delegates not chosen by the people, but packed by mere party managers, for the purpose of controlling, not expressing, the will of the people, cannot be entertained, even for a moment, by any one who values his own character and that of his country more than the honors and emoluments of office. Such bodies, interposed between the electors and the candidate, at any time, even when honestly constituted, are inconsistent with republicanism, and the spirit and intent of the elective franchise. They can, at best, be tolerated only when there are great diversities of opinion as to candidates, and when, in order to secure success, union on some one candidate is indispensable. In such a case, the delegates should be honestly chosen by the sev-

eral districts, and suffered to meet in convention, unpledged and untrammelled; free, after mutual consultation and interchange of information and opinion, to unite on the man, who, all things considered, is the best for the country, and most likely to command the suffrages of the people. But if the delegates are to go into the convention pledged, or tied up by instructions given, in the way instructions usually are, by a few wire-pullers and party managers, no language is too strong in which to condemn the interposition of the convention. If such bodies are to be suffered to intervene, as the settled policy for the management of party affairs, the government of the country must pass from the hands of the men chosen to administer it, must pass from the constitution to party, and into the hands of its irresponsible managers. All the advantages expected from general suffrage are sacrificed, all the guaranties of liberty devised in our constitutions are broken down, and power is placed in the hands of irresponsible party leaders. We are thankful, therefore, that Mr. Calhoun has exposed the policy, and thrown his whole influence into the scale against it. But, it is TOO LATE. He sacrifices himself, but he will fail to redeem his country.

We are surprised to find Mr. Calhoun's friends, in South Carolina and Virginia, construing his letter into a withdrawal of his name from the political canvass for president. The letter authorizes no such interpretation. Mr. Calhoun has never sought a nomination, nor declined one. His friends have withdrawn him, on their own responsibility and, as we think, unwisely, not to use a harsher epithet. We have read, with equal surprise and indignation, the address of Mr. Calhoun's friends in Virginia. Do our southern friends need to be told that protests in words, not followed up by deeds, are worse than nothing? What avails their well written and well reasoned protest against the Baltimore convention, so long as they leave it to be inferred that they will support its nominee? Enough of fine speeches, gentlemen, enough of cogent arguments; but we want deeds. We trust that you are not so innocent as to fancy, that reason and argument have any influence over those who have the power. You may protest till doomsday, without the least effect, unless you show that you have the *power*, and the *will*, to make your protest a *deed*. It is amusing, in these days, to find men really believing that reason and justice count for something with party leaders. They who have

the power will do what they please; they may listen to your protestations, pronounce them spirited, manly, just even, and—disregard them. South Carolina might have protested, resolved, reasoned, and all that, till doomsday, and effected nothing. It was her action, not her words, that effected the compromise. For ourselves, we are heartily sick of these protests, resolutions, and arguments. We have lived too long, and seen too much to be humbugged, and we do not hesitate to tell Mr. Calhoun's friends that, in seizing the first opportunity in their power, as they seem to have done, to withdraw his name, and, as it were, back out from his support, they have cast suspicion on their own chivalry and patriotism. They have lost their only chance of redeeming the country. We speak plainly, perhaps harshly, but we who, at the North, have supported Mr. Calhoun, and southern rights, feel that we have some right to complain, when southern men desert themselves; and we cannot but be deeply grieved, relying, as we have done, on their coöperation against the demagogunism and centralizing democracy which are crushing us, to find them failing us in the moment of trial. But enough of this.

We have read Mr. Calhoun's letter with pleasure and warm approbation, so far as concerns himself; but with melancholy forebodings so far as concerns the country. We know the character of a croaker is unamiable and unenviable; we know, too, that it is no blessing to be doomed, like Cassandra, to utter prophecies which will not be believed till their fulfilment has verified them. Still, we will say, that when such men as Mr. Calhoun must give way to your Van Burens, it is a sure sign that "something is rotten in Denmark." It proves that we have reached that critical period in the life of republics, when men of the first order of talents, genius, and moral worth, high-minded, patriotic, and accomplished statesmen, can no longer be elected to offices of the highest trust, but must give way to second and third rate men, who, instead of giving tone, character, and direction to party, are but too proud to lose themselves in its irresponsibleness, and to be its mere "hired servants." It shows that a lust for office and its spoils has taken the place of civic virtue, and that party managers have ceased to aim at the good of the country, and have come to consult only their own ambition and selfishness.

Mr. Calhoun is sacrificed for his integrity, firmness, and

energy of character; because party managers know perfectly well that, if elected president, he would administer the government, not for their private benefit, but with sole reference to justice and the public good. Here is the secret of their hostility. Why, in fact, *should* they support him? What have they to hope from him,—a strong-minded, energetic, self-willed man, who would die, sooner than swerve from his own abstractions for either friend or foe? *We* elect such a man for president? Preposterous! We want no visionary theorist, no abstractionist, no *impracticable*, who will hear no counsel but his own convictions, and is *above taking the advice of his friends.* No; give us a man of practical good sense, one who is able to adapt himself to circumstances, and who does not disdain to consult his friends, and to adopt the policy which they may judge, upon the whole, to be most advisable. So they turn to the "Sage of Lindenwold," a man of easy virtue, no abstractionist, and possessing no convictions or principles in the way of his friends and supporters.

Now, this is a fearful state of things, and threatens the most fatal consequences. Our friends write us from different sections of the country, not to despair, for the corruption has not reached the great mass of the people. Gladly would we believe them; but corruption has extended much further than to the mere party leaders themselves; for if it had not, these leaders would have little influence, and few followers. The great mass of the younger and more active portion of the party, are, in reality, office-seekers, and do support the party for the sake of the reward. They are afraid to take a firm and manly stand against corruption, lest they be read out of the party, that is, debarred from all chance of obtaining a share of the plunder,—for this is all that reading out of the party means. Doubtless, the chief corruption attaches to the managers; doubtless if the managers were honest, high-minded, patriotic citizens and statesmen, the rank and file of the party would go right, and, most likely, even prefer to go right; still, the great body of the party, we fear, want the virtue to withstand the corrupting influence of the leaders. We have never met a man who would tell us that he really liked Mr. Van Buren, or thought him the best man in the country for president. The resolutions of various caucuses, declaring Mr. Van Buren to be their first choice, only mean that they think Mr. Van Buren stands the best chance of getting the nom-

ination, and that they prefer to be found the friends of the successful candidate. We cannot, therefore, exonerate the great body of the party from all blame; we readily agree that the party would go right, if their leaders would suffer them; but they have not the virtue to go right in spite of their leaders.

But, be all this as it may, the friends of Mr. Calhoun having unwisely withdrawn his name, and, though protesting against the principle on which the Baltimore convention is to be organized, having left it to be inferred that they will, *for this time*, support its nominee,—and *for this time* being all that the friends of Mr. Van Buren care for,—there can be no doubt that Mr. Van Buren will be nominated. We had hoped it would be otherwise; but we can hope no longer. The question, then, comes up seriously, What are we to do? What is the duty of that portion of the Republican party who are still attached to the constitution, and are not yet prepared to abandon altogether the old-fashioned civic virtues? The contest is to be, unquestionably, between Lindenwold and Ashland. What is our duty in regard to such contest?

In 1840, we supported Mr. Van Buren,—though he has done us the honor of ascribing to us personally the principal share in his defeat,—for then we regarded the contest as one of principle. In Mr. Van Buren personally, we never had much confidence; but circumstances made it necessary either to support him, or to abandon our principles. The party rallied on the true Republican ground, and threw out the old flag of constitutionalism and state rights. No portion of the troops did better service in that campaign, than those who had been previously enrolled in the state-rights party. We forgot the injuries we had received from Mr. Van Buren; we forgot all the wrongs we and our country had suffered, the moment we saw a prospect open of bringing the government back to the principles of the constitution, and of putting it on the right track. But the party were, as we all know, defeated. Those among us, who had supported the party for the sake of principle, not for the sake of the spoils, regretted this result; but we were not discouraged. We knew that principles never die; and, though they may fail of success, they cannot be defeated. We rallied anew, and, almost instantly, recovered all the ground that had been lost. But our principles all pointed to Mr. Calhoun as the representative of the party, and as

the only man in the country, who, at the head of the government, would have the requisite firmness and energy of character to carry them out thoroughly in the administration. So long as we adhered to principles, so long as we stood on the true republican ground, no other man, in the very nature of things, could be our candidate for the presidency.

But the sudden successes of the party in the state elections of 1841, and the disappointment and chagrin of the Whig party, in place but not in power, revived the hopes of the old spoilsmen, and flattered them with the hope of again succeeding. But the success of the party with Mr. Calhoun, would be no success for them. They must succeed, if at all, under some chief whom they could use. Mr. Van Buren was their man, and the only man they could bring forward successfully against Mr. Calhoun; but to be able to bring him forward, they must abandon the avowed principles of the party, and make success of party take the place of success of principle. They commenced their game by attempting, as much as possible, to obliterate the lines of party difference; the tariff was under revision, and the Van Buren presses told us that it must not be made a *party* question, that we wanted a tariff for revenue, a judicious tariff protecting alike all interests, &c. Lindenwold visits, and tarries long at, Ashland. "Ashland, you and I have always been good friends; our differences, you know, have been only political. We have always been ready to do each other a good turn, when in our power. You see how it is. Webster is in your way, and Calhoun is in mine. Let us understand each other. I wish to be president, and will be, if my party is in the majority; if I cannot be president, there is no man I should be so happy to see president as yourself." "Lindenwold, you are a man after my own heart. I mean to be president; I have staked all on this last chance; but if I lose, only you shall win." On which, our two friends shake hands, and bid each other *adieu au revoir*. Since then, the friends of each have acted in concert, whenever it has concerned the crucifixion of a man in either's way. A Whig club decided, that our own article against Mr. Van Buren ought to be hushed up as much as possible, for, if spread out before the public, it might endanger Mr. Van Buren's nomination. Mr. Van Buren himself, in a recent letter to a committee somewhere in Pennsylvania, which had addressed him, virtually avows the understanding we have supposed, and, very coolly, tells

the Democratic party, that it must run him for the presidency, if it does not wish to stand disgraced in the eyes of the world. Whig presses treat Mr. Van Buren with great tenderness.

But we go further, and demand, in what respect the effective policy of the government under Mr. Van Buren will differ from what it would be under Mr. Clay? "Mr. Van Buren is anti-bank." We deny it, save so far as concerns the United States Bank. There is not one particle of evidence to be adduced, that Mr. Van Buren is opposed to the banking system of the country; and a national bank is now an "obsolete idea," and none will be established even under Mr. Clay. Yet, a national bank, if you will treat bank notes as money, is not the greatest of evils. "Mr. Van Buren is opposed to the distribution of the proceeds of the public lands among the states." Doubted; for the project originated with him and his political friends; but the wants of the government will prevent the execution of the policy even should Mr. Clay be president.

"But Mr. Van Buren is in favor of the divorce of the fiscal concerns of the government from all connection with the banks and the business of banking." We have no evidence of this fact. The sub-treasury, as proposed by Mr. Van Buren, and as executed by his officers, was the veriest mockery of legislation. It will be recollected that he recommended the measure without the specie clause, and that it passed the senate, where his friends were in the majority, without that clause. The Republican party demand the divorce, and Mr. Van Buren meekly submits to the demand. "Will you grant us the divorce?" Yes. Let there be a sub-treasury, and the revenues of the government be kept by government officers. "What! Mr. Van Buren," say the banks, "are you agoing to grant the divorce?" No. Let the revenues be collected and disbursed in bank notes. Admirable! The *yes* will satisfy the people who clamor for a divorce; the *no* will satisfy the banks, for they will still have the deposits as before, for a bank note is only a certificate of a deposit to its amount in favor of the holder. The *yes* and *no* will satisfy the office-seekers, by creating a number of new offices. So people, banks, and spoilsmen will at once be satisfied. Admirable! Hurrah for Lindenwold! Long live the little magician, who can effect impossibilities! The specie clause, which alone gave significance to the measure, was moved by Mr. Calhoun as an amendment

to the original bill, and was finally carried because he and his friends would not support the bill without it.

On the restrictive policy, Mr. Van Buren's friends differ not in principle from Mr. Clay. Mr. Van Buren, we believe, has always been a tariff man; he voted for the tariff of 1828, that "Bill of Abominations," under instructions, if you please, but that is nothing, for he and his friends could easily have prevented the instructions from being given; he admits the constitutionality of a tariff for protection; his warm friends and supporters fastened the present tariff upon us; the Syracuse convention, which expresses the policy by which he will be guided, has, in a resolution, declared itself in favor of a protective tariff; and his friends in congress have voted down every proposition for a tariff framed exclusively on revenue principles. We have, then, the fullest authority for saying, that Mr. Van Buren is a restrictionist, and differs from Mr. Clay only as to more or less. What great principle, then, we demand, is involved in a contest between Lindenwold and Ashland?

Mr. Van Buren's friends, the party managers, who have packed the Baltimore convention to secure his nomination, on this vital question, and on all others, seem to us to shape their policy with sole reference to the success of the party, and to have no principles they cannot waive or modify as they find it necessary, to secure success in the election. "What you tell us may all be very well. Mr. Calhoun is, doubtless, right in the abstract, but we could never succeed with a policy so ultra." Well; and what then? Which is better, failure with the right, or success without it? Which is the greater evil, a Whig administration or a Democratic administration with Whig principles, or, to say the least, with *no* principles?

The time has come when men should ask, whether the party has, or has not, principles; and to demand, in tones that must be heard, that, if it have principles, they be adhered to. As to Mr. Van Buren himself, regarded as an individuality, he does not enter into our thoughts. Personally, he is not of the least consequence. Give him the honors and emoluments of office, and you may manage the government as you please. All who know any thing of the four years that he was at the head of the government, know that he was any thing but an efficient administrative officer. Excepting a visit now and then, from old habit or personal taste, to the department of state, he left pretty much the

whole business of government to his clerks, and played the part of a gentleman at leisure. Our opposition is not to him personally, but to the party managers who will, if he is elected, be the effective administrators of the government. All will depend on the men who place him in the presidential chair, and who, through him, as their tool, come into power *without its responsibility*. Who are these? We know very well who they are, and what they are, for we see emblazoned on their arms: "To THE VICTOR BELONG THE SPOILS."

These are the men who are to come into power with Mr. Van Buren, and who, under cover of the impersonality of party, are to wield the effective power of the government, without sharing its responsibility. We do not object to Mr. Van Buren, then, that he is not available, that he cannot be elected. It is not his defeat, but his success, that we should deprecate. His defeat, the country could survive; his success would go far towards ruining it for ever.

But Mr. Van Buren will be the nominee of the Baltimore convention. The question, then, returns, What ought to be the course of the sound portion of the party? Shall we support the nominee of the convention? On what ground? Wherefore should we support him, rather than Mr. Clay? What do we gain for our cause, for our principles, for the mass of the people, for the great agricultural interests of the country, by the election of one rather than of the other? Will the Van Buren men adhere to the constitution, and silence in congress the mischievous agitation of the slave-question? Will they adhere to the constitution, and bring the tariff, on all articles, down to the revenue standard? Will they open the markets of the world to our agricultural products, and promote the great and abiding prosperity of the whole country, by an utter abandonment of the restrictive policy, not less ruinous to domestic manufactures themselves than to commerce and agriculture? Will they? "Can the Ethiopian change his skin, or the leopard his spots?" We know these men; we know that a steady regard for, and firm adherence to, principles, are incompatible with their nature. They care only to succeed in the election. What possible motive can we have, then, for supporting them? What possible evil have we to apprehend from the success of Mr. Clay, that we should not have equally to apprehend from the success of Mr. Van Buren? We have no sympathy with the Whig

measures, but, for ourselves, we believe the complete adoption of the strong measures of Mr. Clay would be better for us as a party, and better for the country, than the half-and-half, betwixt-and-betweenity electioneering policy of the Lindenwolden school. We challenge the Van Buren men to show one good, solid reason, why an honest man and enlightened patriot should wish their success.

What, then, ought to be our course? The answer to this question depends on the fact, whether the withdrawal of Mr. Calhoun's name from the canvass, by his political friends, is to be looked upon as final. We have always relied on the firmness and patriotism of the South; but the conduct of southern politicians, since the assembling of congress, has disappointed us. Perhaps we have misinterpreted them, and that they have a meaning lying deeper than the surface. We will hope so, for we *can* put a good construction upon their doings. Assuming that the South has not fully made up its mind to sustain the nominee of the convention, the course to be taken is very obvious. The friends of General Cass are manœuvring for 1848, having lost all hope of succeeding, or of making much of a demonstration, in the present campaign. If we come into the support of Mr. Van Buren now, relying on the promises of his friends to go for Mr. Calhoun for the next four years, we shall be deceived; for they will keep no such promises. Mr. Benton is their man, and would have been their candidate now, but for Mr. Calhoun at the South, and Colonel Johnson at the West. Colonel Johnson is politically defunct; Mr. Calhoun, if withdrawn now, will also be politically defunct before the next four years come round, and General Cass will be no formidable rival to Colonel Benton. The colonel will carry it over the general. It needs but half an eye to see this. If, then, the Van-Buren-Benton men can consolidate the party in this campaign on Mr. Van Buren, no other candidate than Mr. Benton can be brought forward in 1848.

If, then, we mean to resist party dictation, party management, and party tyranny, on which Mr. Benton relies as much as Mr. Van Buren, and who would be an altogether more dangerous man at the head of the administration, for really Mr. Van Buren is the best man of his school,—if we really mean to break up the ruinous system of party, and of caucus management, bring the government back to the constitution and provide for its administration with reference

solely to even-handed justice and the public good, we must maintain our present vantage ground, yield nothing, no, nothing, not even for the peace and harmony of the party, but stand fast by our principles and the man who represents them. We shall never be in a better condition to do so. The great body of the Democratic party, in all sections of the Union, are, at heart, with us; and, were it not for caucus management, would go with us; and party managers must be made, and, thank God, can be made to feel, that they can attain to place, only by honestly and unequivocally, in deeds as well as in words, going with us for true republican principles.

It is not our province to give advice, for we are but a solitary individual. We choose to go for principle, instead of plunder, and, of course, must be regarded as a simpleton or as a marplot. Nevertheless, we beg the friends of Mr. Calhoun to reconsider their resolution to withdraw Mr. Calhoun's name from the present canvass. He is the strongest man under whose lead the friends of the constitution can organize; and if they give up their present organization, with a view to a reorganization after the election for the next campaign, they will lose their vantage ground. The chances of success will be greatly diminished, and they will be too few, too weak, and too disheartened to accomplish any thing. No. Let them treat the Baltimore convention as a nullity, and its supporters as seceders and schismatics. After Mr. Van Buren is nominated, let them say to themselves, "We are to-day what we were yesterday." Let them fling out to the breeze the flag of their country, and the old Republican flag of '98, all torn and tattered as it may be. It can still stream *against* the wind. Let them rally under it, on the true republican platform, around the man of their choice, and march to the fight, and do battle, as best they can. They may lose the first battle, perhaps, the second; but, if they persevere, victory will at length crown their sacrifices, and they will redeem their country. If they will not do this, then nothing remains for us but to yoke ourselves to the car of Van Buren, or to throw up our caps in the train of Henry Clay.

THE PRESIDENTIAL NOMINATIONS.

[From Brownson's Quarterly Review for July, 1844.]

In our previous numbers, we have felt it our duty to say some things which could not but be unpleasant to many individuals in the party with which we are in the habit of acting; but, happily, recent manifestations and the decisive action of the Democratic convention, at Baltimore, for the nomination of candidates for the presidency and vice-presidency, relieve us from the necessity of repeating them, and go far to prove that we somewhat underrated the independence and patriotism of the party itself, and placed less confidence in its wisdom and civic virtue than we might have done. It gives us no little pleasure to find that we were partially mistaken, and that, contrary to our fears, the party has had sufficient energy, even under the most unfavorable circumstances, to break through the caucus system, to spurn the dictation of selfish managers, and to make its own honest sentiments heard and obeyed. Light breaks through the darkness which hung over the future; somewhat of our old confidence in the people revives, and once more can we hope and work.

We have nothing more to say of Mr. Van Buren. He is now a private citizen, and, as such, we wish him the peace and repose which belong to his time of life, and the full enjoyment of all the honors his public and private virtues have merited. His injudicious friends, such as the *Washington Globe* and Colonel Benton, who have wished to use him for their own questionable purposes, have received a lesson from which we trust they will profit. If they do not, it will be for a very obvious reason. Enough has been said. There has been enough of mutual recrimination, enough of ill temper, and we sincerely rejoice that all may now unite as brothers, and do our best to save our common country and her institutions.

We shall attempt no eulogy on the distinguished gentlemen the convention has nominated. If they are not those we should have preferred, they at least meet our warm approbation, and will receive our earnest support. Mr. Polk is a man of considerable political experience, a gentleman in his manners, irreproachable in his morals, sound in his polit-

ical views, and, if elected, will make an able and efficient executive officer, and administer the government in a manner alike creditable to himself and honorable to his country. His external policy will be wise, firm, just, and patriotic; and his internal policy will tend to restore us to the old Republican platform, and to promote the interests of the whole country, not merely of a favored section or class. With Polk and Dallas for our candidates, we can enter on the campaign with heart and hope, and feel, that, in elevating them to the first offices in the gift of the people, we are really doing a service to our country and republican freedom.

We do not permit ourselves, in this journal, to enter far into mere party politics, but we cannot refrain from expressing our gratitude that there is now, to say the least, a reasonable hope of saving our country from the serious danger there would be in electing the Whig candidates. We do not adopt all the notions of our Democratic friends concerning the first principles of government; we do not, if we may so say, accept their political philosophy; but we rarely fail to approve their leading measures of policy, whether domestic or foreign, and we feel, at all times, that the government and the country are safer in their hands than in those of the Whigs, even when the Whigs place at the head of affairs their purest and ablest men. In many of the abstract principles of government, we coincide much more nearly with the Whigs than we do with the Democrats; but the Whigs as a party are thoroughly, and without any mitigation, the party of modern feudalism. The Democratic party fails to resist this growing feudalism with the requisite energy and firmness;—the Whigs do not resist it at all, but hasten its growth by all means in their power. If we cannot hope, even from the Democrats, all we wish for the true interests of all classes, we can hope nothing at all from the Whigs. There is not one of their distinctive measures but will tend directly and with fatal force to consolidate the power of the industrial lords, and to reduce the operative classes to a state of virtual serfage. This is the character of the Whigs in their best estate, under their best and most patriotic leaders. What, then, shall we say of them under the lead of such men as Henry Clay and Theodore Frelinghuysen? These two gentlemen represent the very worst and most dangerous elements of Whiggism, and, if they come into power, they bring with them Whiggism in all its unmitigated iniquity.

Messrs. Clay and Frelinghuysen represent what we may term ultra-Whiggism. Mr. Clay is unquestionably a man of ability. He is a splendid orator; he has great power over the men with whom he comes into immediate contact; but he is no statesman. He is ambitious, but short-sighted; bold, daring, but incapable of appreciating general principles, or of perceiving the relation between effects and their causes, when these causes are not near at hand. Yet he is abashed by no inconsistency, disturbed by no self-contradiction, and can defend with a firm countenance and without the least misgiving what everybody but himself sees to be a political fallacy, or a logical absurdity. Refute him, demonstrate with mathematical certainty that his proposition is false, confront him with names, dates, figures, and he stands unmoved, unconscious of what you have done, reiterates his proposition in a bolder tone, reasserts it with growing confidence, and pours forth the full tide of his rich and suasive eloquence in its defence. You stand aghast. What can the man mean? His insensibility confounds you, and you almost begin to distrust your own demonstration against him, though as certain as the demonstration of a problem in Euclid. In regard to right and wrong, he manifests the same singular self-possession. He is no more disturbed by being convicted of moral insensibility than of intellectual absurdity. He sees no moral absurdity in determining right and wrong, by parallels of latitude, and in declaring a thing to be right on one side of a given parallel and wrong on the other. A man of rare abilities, but apparently void of both moral and intellectual conscience, who finds no difficulty in withstanding, when necessary to his purposes, the eternal laws both of logic and morality, and therefore a man whom no power under that of the Almighty can restrain, he must needs be the most dangerous man to be placed at the head of the government it is possible to conceive. There is no foreseeing what he would do, or would not do. Not a few, even of the Whigs, feel that he is an unsafe man; even the manufacturers themselves support him with fear and trembling; the noblest of all the Whigs has denounced him on more occasions than one, and now only "damns him with faint praise."

Mr. Frelinghuysen is quite a different man; and, while agreeing with Mr. Clay in all the obnoxious measures to which Mr. Clay himself stands pledged, he represents certain other elements of the Whig party, from which still more evil, if possible, is to be apprehended. Mr. Freling-

huysen is not only a Whig in the worst sense of the term, but he is also the very impersonation of narrow-minded, ignorant, conceited bigotry,—a man who boldly attacks religious liberty, demands the unhallowed union of church and state, and contends that the government should legally recognize the religion of the majority, and declare whatever goes counter to that to be *contra bonos mores*. He concentrates in himself the whole spirit of "Native Americanism" and "No-popery," which displayed itself so brilliantly in the recent burning of the Catholic dwellings, seminaries, and churches, in the city of Philadelphia.*

We see personified in the Whig candidates modern feudalism, political profligacy, and canting, fanatical religious bigotry. Their success would be fraught with the most serious danger to our political institutions, to social equality, and to religious freedom. All is hazarded. As matters

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*We found this charge on Mr. Frelinghuysen's speech in congress on the Sunday-Mail question, and on a book, now lying before us, entitled, "*An Inquiry into the Moral and Religious Character of the American Government*" (New York: 1838), which, we presume, it will not be denied was written by him. This work is exceedingly declamatory in its character, and remarkably deficient in clear, distinct, and definite statements; but no man can read it without feeling that its author would withhold all political rights, whether to vote or to be voted for, from all persons except members of what are called Evangelical sects. "Has it not," it says, "become a cant among us, that *as electors* we have nothing to do with men's religious sentiments; no right even to inquire about them? Twenty gods, or no god, or the God that made the worlds, is quite indifferent; *Papists and Protestants are all one; Socinians, Jews, and Evangelical believers, are all one;* yes, and the tattooed cannibal of the South Sea, were he to honor our asylum of liberty by seeking a lot in its blessings, would enter at once into the same family circle of undistinguished and indistinguishable unity; free alike to live among us, and to rise above our heads; for the doctrine is, that whoever is entitled to sit in the shade of the constitutional tower has a right also to scale its walls." The meaning of this, vaguely as it is expressed, it is not difficult to divine. It is "Native Americanism" and "Evangelicalism." The author, it is true, does not formally advocate a union of church and state, nay, he, in words, expresses his dissent from such union; but he expressly contends for a "*political religion*," which of course must be a test of political rights; and that this political religion must be the religion of the majority. He transfers, boldly and avowedly, to religious matters, the doctrine, that the majority must govern, and that the minority must submit. It is true he attempts to make a distinction between what he calls *ecclesiastical Christianity*, and the *ethics* of Christianity, but it is a distinction which can amount to nothing; for the ethics of a religious denomination are founded on its dogmas, and, in enacting the ethics, you do necessarily, by implication at least, enact the dogmas themselves. Enact what the majority define to be Christian ethics, and you necessarily enact the theology, christology, and anthropology of the majority, for these are the foundation and source of

now stand, all that is dear to our hearts, as freemen and as Christians, is involved in the approaching contest. We of the Republican party have committed many faults; we have on too many occasions proved ourselves unworthy of the sacred cause intrusted to our keeping; yet the all-beneficent Providence has not wholly cast us off, but graciously gives us one more opportunity to atone for past delinquencies, and to win new honors. The holy cause of political, social, and religious freedom is once more committed to our charge. The sacred deposit is placed in our hands, and at our hands will the supreme Judge demand it. Every man of us must feel the sacredness of the trust, and remember that "THE LORD SEETH." There must be no cowards, no traitors, no laggards. A high and solemn duty rests on each one of us to rebuke political profligacy, and religious bigotry and fanaticism; to do all that man in honor and honesty may do to save this country, this chosen land

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their ethics. The practical effect of Mr. Frelinghuysen's doctrine would be, to establish the religion of the majority as the law of the land, and to declare every man destitute alike of *civic* virtue and of *moral* virtue, who should dissent from it, and presume to worship God after the dictates of his own conscience.

We foresaw, many years ago, that the attempt would be made to transfer the doctrine, the majority must rule, to religion and morals, and thus to revive the practice of boring the ears and tongues of Dissenters, banishing Baptists, and hanging Quakers; and this has been with us a strong motive for waging the uncompromising war which we have waged for many years against this doctrine. Once let this doctrine of the right of the majority to rule become universal in regard to political matters, and it will inevitably be transferred to religious matters, and the minority must yield up all their religious rights to the will of the majority, as Mr. Frelinghuysen contends they should.

The great principle with us is religious liberty. The government is to confine itself strictly within the sphere of temporals, and leave spirituals exclusively to the church and individual conscience. It has no right to discriminate between one denomination and another, or to give one the least preëminence over another. This is the Christian doctrine; this is the settled doctrine of this country, and which makes the glory of our country, for ours is the only country on earth which has ever adopted it. It has cost ages of struggle and sacrifice to establish this doctrine, and shall we now basely abandon it? Shall we give our support to a party which brings forward, for the second office in the gift of the people, the very leader of the bigots and fanatics who would wrest it from us? God forbid! Let us rally around the banner of RELIGIOUS LIBERTY, and signally rebuke the traitor to his God and his country, who would establish a political tyranny over faith and worship. If we do not thus rally, we may expect ere long to see the churches of all the denominations, which the majority may decree to be non-evangelical, smouldering in their ruins. St. Michael's and St. Augustine's, in Philadelphia, throw a strong light on the fate that awaits every house of worship not dedicated to the faith of the majority for the time being.

of Providence, to the freedom of the human race, to make it the "home of virtue, an asylum to the oppressed, and a name and a praise in the whole earth."

Nor is the external policy involved in the approaching contest less important than the domestic. No good can be realized on this continent, unless we succeed in maintaining, in all respects, in the face of all other nations, entire and absolute national independence. It is our interest, as our duty, to cultivate peace with all nations, but peace only on terms compatible with national independence and national honor. We had trusted that Mr. Clay, however faulty might be his internal policy, would nevertheless prove himself, in his relations with foreign governments, a true American patriot; but his recent letter on the annexation of Texas to the Union proves that we can no more rely on his patriotism than on his republicanism. The base betrayal of the true interests of his country, the dastardly crouching to the red cross of England, and infamous leaguing with a band of fanatics at home, who have officially declared that the union of these states ought to be dissolved, and that they are prepared to accomplish their objects over the ruins of the American church, of which that letter affords the damning proof, deserve not only the utter detestation of every American heart, but the most signal rebuke from the whole Union —a rebuke which he and his supporters will feel, ay, and not soon forget.

We have no room for the discussion of the Texas question, but happily that question has already been amply discussed by greater and better men than we, and whose voice will have authority where ours could not gain a hearing. We cannot, however, refrain from expressing our regret that slavery has been allowed to play so conspicuous a part in the discussion. We want Texas annexed to the Union, but for reasons wholly foreign to the question of slavery. We want it as the key to our southwestern frontier; because we cannot, with a due regard to our means of national defence, suffer it to pass actually or virtually into the hands of Great Britain or of France; because we want it for the benefit of our coasting trade, as a market for our northern manufactures, and as the means of preserving to ourselves the market of the great valley of the Mississippi, and of opening to us the rich markets of Mexico; because the Texans are our brothers, and wish to be received as members of our great family of freemen. We want it, also, to

preserve the proper balance between the Atlantic states and the interior, which the rapid growth of the great West will, in a few years, without the annexation of Texas, wholly destroy. Here are our reasons, at least some of our reasons, for favoring annexation, and these have no connection with slavery. For ourselves, we feel very little interest in the slave question, in itself considered. The danger to our Union, to the sacred cause of human rights, is not now in negro slavery, but in the principles and measures of the abolitionists, which, if carried out, would prove a far greater calamity than slavery is or can be, even allowing it to be all that the abolitionists allege. The remedy they propose would prove infinitely worse than the disease. Still, we say, very frankly, that we see no beauty or comeliness in slavery that we should desire it, and we assure our southern brethren that we will help them adopt no measure for the sake of perpetuating it. It is their affair, and they must take the responsibility of it.

But, while we say this, we say also that we will resist, even unto blood, if need be, any and every effort to abolish slavery over the ruins of the constitution and the sacred institutions of religion, or, what is no better, *through the direct or indirect intervention of a foreign power.* We are an independent nation, and the supreme judge for ourselves of the wisdom or justice of our institutions and practices. We suffer not Great Britain, nor any foreign government, to teach us officially what is or is not our duty. No foreign government shall be suffered to intermeddle with our concerns, even so far as to aid us in correcting what we ourselves may believe to be wrong and in need of redress. In regard to foreign nations, our country is infallible, and all her institutions are sacred.

We here express what we understand to be the purport of Mr. Calhoun's patriotic letter to the British minister, for which he has received so much and such unmerited abuse. We read that letter with a glow of patriotic pride; we felt thankful that we had at length one minister of state, who dared speak the language of national independence, and rebuke the insolent foreign government which had presumed to send its minister here to read us a moral lecture. In relation to foreigners, we are ONE PEOPLE, and acknowledge no distinction of free states and slave states. Every citizen, whether of South Carolina or of Massachusetts, is alike entitled to the protection and defence of the whole. All our

institutions, not excepting the domestic institutions of the South, under this relation, are alike national and sacred; and an attack on any one of them by a foreign government is an insult to the whole nation. Such an insult was the avowal made officially by the British minister of the views and intentions of his government on the subject of slavery; and we envy no American citizen who did not feel it to be an insult, and an insult offered by a haughty, insolent, and canting rival. It was this insult Mr. Calhoun rebuked in his letter to Mr. Packenham, and in terms as dignified as they were pointed and severe. Is there an American so lost to all sense of national dignity and respect as to blame him? What if Great Britain had made an official communication to our government that she looked upon our banking and factory systems as wrong, as hostile to Christian principles of liberty and political economy, and that it was her desire, and she would be unceasing in her efforts, to abolish them; would our bankers and manufacturers have blamed Mr. Calhoun for reminding the British government, through its minister, that this was our own affair, and that no foreigner could be allowed to intermeddle with it? What abuse, indeed, would not have been heaped upon his head, and deservedly too, if he had not repelled the national insult?

But it is said Mr. Calhoun entered into a defence of slavery. He did no such thing. He offers in his letter not one word in defence of slavery. He merely told the British minister that British *philanthropy* might be better employed; that, if allowed to accomplish the end avowed, it would bring no substantial benefit to the negro race, which the British government proposed to take under its especial protection; for the actual condition of that portion of the race held to service was not a little superior to that of the portion nominally free. And who of us, who have ever visited a southern plantation, doubts the fact? The condition of the slaves at the South, we all know, is far superior to that of the free blacks at the North. The silly, sickly, restless sentimentalizers at home and abroad, who are ready to sacrifice the *substance* of freedom to secure its mere *name*, would do well to ask themselves, whether they have yet discovered a relation in which the black race can live on the same territory with the white, at all superior to that in which they now live at the South. We have had enough of cant and humbug. Mock us not with the mere name of liberty; give us the substance of freedom, and do what you will with the

empty name. The Manchester or Leeds operative is nominally a freeman; how much more real freedom has he than Quashy, on the southern plantation? Great Britain is now importing negroes, it is said, from the coast of Africa into her West Indian colonies, with the avowed purpose, by the multiplication of laborers, of reducing the price of labor to the very minimum of human subsistence. How much better than slaves are laborers forced by the lash of hunger to toil for the mere minimum of human subsistence? And what right has England to read us a lecture on slavery? Let her look at home. The great mass of her population are reduced to a state of moral and physical degradation unknown in any other European country. Her paupers are one out of every seven of her whole population; while even in Italy, of whose degradation we hear so much, they are only one to every twenty-five. She has reduced Ireland to a state of beggary, her hundred millions of East Indian subjects to the lowest destitution; she has commenced the work of doing the same to the Chinese; she is plethoric with the spoils of the defenceless everywhere, fat with the life-blood of every nation she could overawe; and yet she has the impudence to send her minister here to read us a moral lecture on slavery! and we, degenerate sons of noble sires, miserable cravens, applaud her for her generosity and noble philanthropy, and hurl our censures only at the patriotic minister of state who has ventured to rebuke her insolence and vindicate his country!

Mr. Calhoun contrasted the condition of the slaves and free blacks, not for the purpose of defending slavery, but for the purpose of showing the British minister, *emphatically*, that this subject of slavery involved considerations of which no foreigner can judge, and that, if slavery is an evil, it is an evil of which we alone can judge as to the proper time, measures, and mode of redress. This letter was called for, was proper and manly. If some of the statistics on which he relied may be successfully disputed, they were still sufficiently accurate for all the purposes of his argument; and enough others, which nobody can question, can be adduced whenever they shall be needed.

We are exceeding our limits; but we must warn our friends to beware of courting, in this or any contest, the aid of the fanatical abolitionists. Can a man touch pitch and not be defiled? The time has come when we must take our stand firmly for our religious institutions, for our coun-

try, for our *whole* country, and the noble constitution of this Union, and be true to them, though we find ourselves opposed to every modern fanatic, who, because he has got the crotchet of philanthropy in his head, fancies himself privileged to scatter fire-brands, arrows, and death, at his pleasure. There must be no misgiving, no swerving. The times are perilous. It is the day of trial. May God in mercy aid us, and grant that we may all prove equal to the holy trust committed to us; that we may shrink from no struggle, from no sacrifice, but be ready at any moment to give up all, even life itself, at the demand of our country, of republican freedom, and religious liberty.

THE PROTECTIVE POLICY.

[From Brownson's Quarterly Review for October, 1844.]

While are in the midst of an important presidential election, it may be thought to be an ill moment for the discussion of great questions of government or legislation; but ill as the moment may be, we cannot refrain from offering a few remarks on the protective policy. We were led, by information on which we supposed we might rely, to assert in our last number, in the article on *The Presidential Nominations*, that Mr. Polk, the Democratic candidate, was "sound in his political views," which of course meant that his political views accorded with our own; but we now find, from a letter of his, written and published since his nomination, that, though opposed to the present tariff, he is in favor of a tariff which discriminates in favor of home industry.

We shall probably give Mr. Polk our vote, for we believe he possesses high executive talents, and his views on the bank and Texas questions are sound, and nothing would be gained to the country or to republicanism by opposing him; but we owe it to ourselves, and to that portion of the Republican party whose views we may be supposed to represent, to protest against his doctrine of discrimination for protection. We see no sense or justice in opposing the Whigs for their protective policy, if we are to adopt, in

principle, the same policy. The father of the so-called "American system" contends simply for "a revenue tariff, with discrimination in favor of home industry;" and Mr. Polk, if we understand him, also contends for "a revenue tariff, with discrimination in favor of home industry." Where is the difference? A revenue tariff, with discrimination for protection, is also a favorite cry with not a few of our leading Democratic journals; and some of them go so far as to claim the merit to their own party of having passed the present iniquitous tariff, because a few traitors to the party and the country voted for it. Now, we wish to know, if the Republican party is in favor of the protective policy?

"O, no! the Republican party is opposed to the Whig policy of a protective tariff, and in favor only of a revenue tariff, which shall discriminate in favor of protection." But this is precisely the Whig policy, and what Mr. Clay himself says. "O, but the Whigs are in favor of protecting only one or two interests, and we are in favor of protecting *all* interests alike." But, my dear friends, with your leave, this is nonsense, and you cannot ask us to believe that you really hold it to be possible to lay a discriminating tariff which shall afford a positive protection to all the leading interests of the country. Protection is afforded to one interest only by means of a direct or indirect bounty which the government grants it; and this bounty must be obtained by the imposition of a tax on some other interest or interests than the one protected. It is absurd to talk of protecting all interests alike. This our Democratic friends know as well as we. Why, then do they use this language?

We have been abused for our want of confidence in the people; but we will assure our traducers that we have never yet so wanted confidence in the people as to be afraid to trust them with our honest convictions; nor have we ever yet felt that it was necessary to amuse them with sophisms, or to undertake to cheat them into the support of truth and justice. It is not we who want confidence in the people, but they who dare not avow their honest convictions to the people, and, to call things by their right names, those anti-tariff men, who are afraid, if they avow the policy they believe the true one, the people will go against them. We are not a little impatient with this unfair dealing with the people. We, as one of the people, demand on the part of all men, no matter how high or how low, frankness and

honesty; and especially do we demand of the politician who solicits our suffrages a plain, honest, frank statement of the policy he really and truly approves, and wishes to see adopted. We despise the meanness, we detest the wickedness, of attempting to get into power by false pretences, by double dealing, by concealing our views, or using language which permits the inference, that we are in favor of one thing, while we are really in favor of another. Success by such means is more dishonorable, more fatal, than defeat. Better to be defeated fighting for your principles, than to succeed by abandoning them. Politicians, as well as other folk, have great need to learn that honesty is the best policy, ay, and that there is a moral Governor who will not suffer the wicked to prosper, who will confound the wisdom of the crafty, and bring to naught the counsels of the ungodly.

The so-called "American system" is the most iniquitous and ruinous policy it is possible to devise. It is evil in its inception, in its progress, and in its termination. No good does or can result from it to any section of the country, or to any individual at home or abroad. We are much mistaken, if this is not the real belief of the great body of the Republican party; and yet not a man, or hardly a man of them, north of Mason and Dixon's line, will venture to say so. Presses, conducted by high-toned free-trade men, will talk about "discrimination in favor of our own industry," "a judicious tariff," "a tariff which protects all interests alike." Now this is really too bad. Has it really come to this, that men are so greedy of office, so eager to share in government plunder, that they are willing to accept office at the sacrifice of their principles? Has it come to this, that we have no principle but to get into office if we can? We fear that it has; we fear that honesty has no resting-place in the hearts of political aspirants, and that love of plunder has completely expelled the love of country. If so, what hope is left us? what good is there for us? what do we lose by defeat? what do we gain by success?

We have been deeply grieved at Mr. Polk's letter. We had hoped, that, with Mr. Van Buren, the "betwixt-and-betweenity" policy he had represented for so many years would retire to the shades of Lindenwold, and that henceforth we should be at liberty to adopt an open, manly, straight-forward policy, alike creditable to the leaders of the party, and beneficial to the country; but we fear that we

have gained little by the exchange. We have, we fear, only another disciple of the same school, and that the same old demagogical dynasty is to be renewed and perpetuated; the same dread of open, honest avowals, the same want of confidence in the people, the same crooked, serpentine policy, which caused us to be hurled from power with such overwhelming indignation in 1840, are to be again our characteristics. We are afraid that we are likely to prove, as a party, that we cannot profit by experience, and can learn no wisdom from defeat. We have not read, we have not heard, during the canvass, thus far, a single noble sentiment, or a single manly appeal. The whole canvass has been conducted in a tortuous manner, by low and demoralizing appeals, disgraceful to the actors, and deadening to the public conscience. We justly merit the wrath of Heaven; and should we fail, it would be only a righteous judgment upon us for our want of firm principle, nobility of soul, confidence in the people, and fidelity to the sacred cause intrusted to our keeping.

We hope we shall be pardoned the freedom with which we speak. It is no pleasant task to find fault with one's political friends, but there are times when it is necessary to do it. The Republican party has nothing to fear from without, if it will but keep itself pure within. It never loses ground but by its own fault. The majority of the country is with it, and will sustain it, if its leaders will be honest and faithful, liberal and high-minded, bold, manly, and patriotic. But, if they resort to petty shifts, to miserable expedients, to contemptible sophisms, and talk one kind of language for one set of people, and another for another, now blowing hot, and now blowing cold, now saying yes, now no, and now yes and no, they will fail, and the glorious experiment of popular government will fail with them.

We trust that our views are two well known for us to be suspected of favoring the wild notions of free trade, advocated by the late William Leggett and others. We are no friends to what has been aptly termed the Let-us-alone policy. We believe in government, in the permanent necessity of government, in a *strong* government, able to speak with authority, to command, and to enforce its commands. Of all evils that can befall a country, a weak government is one of the greatest. Nor do we believe that it is never proper or necessary for government to interfere in the busi-

ness affairs of individuals, or to attempt to give a new direction or a new stimulus to industry, or to a particular branch of industry. We do not base our opposition to a protective tariff on the ground, that individuals are the best judges of their own interest, and that free competition among individuals is the best and surest means of national and individual prosperity. We are no believers in the sovereign virtue of free competition. In our judgment, the common reasoning on this subject is fallacious, and competition is productive of immense evils, if, indeed, of some good. There are times and cases when government is needed to control it, to set bounds to it; when the government itself should take the initiative, and assume the direction. There may be a branch of industry of great national importance, which would be wholly neglected, if the government should not adopt measures to induce the citizens to cultivate it; but which, when once fairly engaged in, will yield ample returns, and open new sources of wealth and independence to large masses of the people. But if it is a branch of industry that needs more than a *temporary* protection from the government, it is not one of those which should be protected; because, if it cannot flourish without a *permanent* protection, it is evidently unsuited to the country, and can be prosecuted only at a national outlay, for which no adequate return can be made.

Yet, in our own country, the initiative and direction of the government in industrial operations can rarely, if ever, be necessary; because, here, such is the activity and enterprise of our citizens, that they stand in no need of a stimulus from government, but will, of themselves, seek out and carry on every industrial enterprise by which either national or individual prosperity may be promoted. And if not, the only stimulus or protection to be demanded from the government must be demanded of the state governments, not of the federal government. The state governments have the constitutional right to protect and foster industry, and this is one of their chief duties. But the federal government has no right to meddle with the subject. It is a compact between the states, formed for certain express purposes, and necessarily, by the very condition of its existence, limited in its action to those purposes. We cannot first determine what citizens have the right to demand of government as such, and then go and demand it of the federal government; for it is a special government, having only certain special pow-

ers, and by no means the general powers of government. We have the right to demand of it only what it has the right to do; and it has the right to do only what it was expressly created for the purpose of doing. The federal government differs from government properly so called, in the fact, that it is founded in compact, and is therefore restricted in its powers to the express terms of the compact. It is not, strictly speaking, a government at all, but an *agency*, which certain independent governments have created for their common convenience and common weal. It is therefore subject to the authorities which created it; whereas, government, properly so called, is itself supreme, and gives the law instead of receiving it. This makes a wide difference between the federal government and the state governments,—a difference not merely specific, but generic. The powers of the latter are all the powers that belong to government, while the powers of the former are only the few which are expressly delegated to it; and these it possesses not inherently in its own right, for they still vest in the state governments, which have merely, by their ratification of the federal constitution, enacted that they shall be exercised by a common delegation from all the states.

We mean not, by saying that the federal government is restricted to express powers, to say that it has no *incidental* powers. It has incidental powers; but the incidental powers can be exercised only for the purposes expressed in the substantive powers. The end for which the incidental power is exercised must always be the end specified in the substantive power; for any power claimed to be incidental, not necessary to carry into effect the substantive power, cannot be said to be an incidental power. For, the moment it is a power to effect any other end, it ceases to be incidental, and becomes substantive; and then, if not expressed in the constitution, it is unconstitutional, and not lawful to be exercised.

Now, the power to lay a tariff for the protection of any branch of industry is not a substantive power in the constitution, as is agreed on all hands. Consequently, a tariff laid for the express purpose of protection would be unconstitutional. The substantive power touching a tariff is the right to impose a tariff for revenue, and for revenue alone. The incidental power is the right to discriminate, but to discriminate only for the general purpose of the substantive power, —namely, revenue. To discriminate in favor of protection

would be to contemplate an end not contemplated in the substantive power, and, therefore, to convert the incidental power into a substantive power. The right to discriminate in favor of protection, as incidental to the right to impose a tariff for revenue, can be claimed only on condition, that to discriminate for protection and to discriminate for revenue are one and the same thing. But to discriminate for protection is to discriminate *against* revenue. Therefore, the right to discriminate for protection cannot be an incident of the right to impose a tariff for revenue.

Here is the error of our Democratic as well as of our Whig politicians. The Whigs care nothing for the constitution, and are not to be affected by a constitutional argument. Their principle is, to praise the constitution in words, and to disregard it in their deeds. But our Democratic politicians do retain some reverence for the constitution. They see clearly, that a tariff expressly for protection would be unconstitutional; but they do not seem to see with equal clearness, that a tariff incidentally for protection is equally unconstitutional; for they do not seem to be aware, that a tariff defeats its substantive purpose of revenue just so far as it incidentally discriminates effectually for protection. A protective tariff, we all know, is repugnant to a revenue tariff, and defeats revenue just so far as it is really protective. Then, a tariff discriminating for protection is repugnant to a tariff for revenue, just so far as its discrimination is really protective. Discrimination for revenue proceeds on principles directly opposed to the principles on which proceeds discrimination for protection. This is a fact which should never be lost sight of.

A protective tariff, if true to the purpose for which it is imposed, must needs be restricted to such foreign articles as come into competition with similar articles, the growth or manufacture of our own country; but a revenue tariff, if true to its purpose, must not be so restricted, but must be lighter on these articles, and heavier on those articles which enter largely into the consumption of the people, and which are obtained only from abroad. The protective tariff must, as far as possible, shut out foreign importations, and secure the home market to the home producer; the revenue tariff must by no means shut out foreign productions, nor check importations, *beyond the point where the increased rate of duty will not compensate for the diminished imports.* In discriminating, that is, in laying a heavier duty on some

articles, and a lighter duty on others, the same principle must be observed. A protective tariff lets in tea, coffee, and such articles as are not the growth or manufacture of this country, free of duty, or at a merely nominal duty; while it imposes a heavy tax on cottons, woollens, iron, &c. A revenue tariff reverses this, and taxes the first class of articles more heavily than the last, because, by so doing, it obtains *the greater amount of revenue at the same average rate of duty.* It is obvious, then, that a revenue tariff, discriminating in favor of our own industry, is unconstitutional and suicidal. Unconstitutional, because there is no substantive power in the constitution to impose a tariff for protection; and suicidal, because so far as protective it defeats revenue. This is conclusive.

We regret, therefore, to hear so many of our own political friends exclaiming, "A revenue tariff with a wise discrimination for protection." Such a tariff is an absurdity, and the cry tends to deceive, to produce a false impression, to pervert the good sense of the public, and to render it impossible for the friends of sound views on the subject to obtain a fair and candid hearing. We tie up our own hands; and seal our own lips, and can henceforth neither speak nor labor for the truth. Instead of enlightening the public, and correcting the false notions the protectionists industriously circulate, we contribute to confirm those notions, and suffer the people to be misled. We do immense harm by this false doctrine; by seeming to countenance this false doctrine, we deprive ourselves of nearly all opportunity to labor for the true doctrine.

Nor less fallacious is this other watchword which some of our political friends have adopted,—"The equal protection of all the great interests of the country." If this were merely an electioneering device, got up to counteract an opposing battle-cry, we should let it pass; for we have no great disposition to interfere with the manner in which politicians manage elections. Still we may say, in passing, that we regard all such devices as discreditable to those who get them up, and insulting to the people. "Soldiers of fortune" and fourth-rate politicians have a natural fondness for them, but rarely, after all, profit by them. If your cause will not stand on its own merits, bear to be stated openly, honestly, and to be advocated for what it really is in itself, your only wise course is to abandon it. Be ashamed to advocate measures you cannot avow, especially if you are

one of those who make great professions of confidence in the virtue and intelligence of the people. But this is not merely an electioneering device. Hundreds and thousands are deceived by it. We do not suppose that the authors of it are deceived. In their understanding of it, it is tantamount to the cry of "No special protection at all." But the great mass of the people, when they find men, judged to be worthy of being the candidates of a great and leading party for the presidency, apparently contending with all seriousness that all the great interests of the country should be protected alike, will not understand that it means, that the special protection now afforded to the manufacturing industry should be withdrawn, but that a similar protection should be extended to all other branches of industry; which would be very much, if it were possible, like a realization of the Whig promises in 1840,—that, if the Whigs came into power, all buyers should be able to buy cheap, and all sellers to sell dear!

The proposition to afford a positive protection to all the great industrial interests of the country is, as we have said, an absurdity; for protection is, directly or indirectly, a bounty to the protected interest, and government has nothing to give in the shape of a bounty to one interest except what it takes from some other interest or interests. The government would encourage the manufacture of woollens, and therefore lays a duty on them when imported. But it must protect all interests alike; so it lays another duty on foreign wool, which, by increasing the cost of the raw material, neutralizes, as far as it goes, the benefit the manufacturer derives from the duty on woollens. The government imposes a duty on foreign silks, to encourage the domestic manufacture; and then destroys it, wholly or in part, by imposing another duty on the raw material, for the encouragement of the silk-grower. And this miserable quackery is wise legislation, and supported by the most eminent statesmen both of the Whig and Democratic party, your Clays, Websters, Polks, Wrights, and Buchanans!

The government imposes a heavy duty on foreign goods for the benefit of domestic manufactures. But what is the compensating duty it can impose for the benefit of the agricultural community? The duty on imports, if it operates as a protective duty, must diminish their amount. It lessens the ability of the foreigner to sell to us, and, consequently, his ability to buy of us. Its effect on our own agricultural

community is, to lessen their ability to sell their products, by diminishing the foreign demand; which reduces the price they can command for their products, at the same time that the duty enhances the price they must pay for every one of the protected articles they consume. We should like, therefore, to be shown, how it is possible, in the nature of things, for the government to contrive any way by which it can relieve the agricultural community from the burden of the tax imposed for the benefit of the manufacturer.

The manufacturing population do not and cannot, in a country of such vast agricultural resources as our own, afford an adequate home market for all our surplus produce. A manufacturing population, large enough to consume all the surplus agricultural products we could easily produce, would, with the present improvements in labor-saving machinery, be large enough to manufacture the principal articles of consumption for the whole world, and then the manufacturers would labor under the difficulty of having no adequate market for their goods. But this is certain, our manufacturing towns do not and cannot furnish an adequate market for our surplus agricultural produce. This surplus must either lie on the producer's hands, or else find a foreign market. But how is it to find a foreign market? Foreigners can buy of us only on condition of selling to us in return. We can refuse to buy of them only on condition of rendering ourselves unable to sell to them; for all trade is necessarily, directly or indirectly, an exchange of products. Purchases depend on sales, and sales on purchases. If we shut the foreigner out of our markets, we shut ourselves out of his; if foreigners shut us out of their markets, they equally shut themselves out of ours. But our protective duties, if they are really protective, restrict importations, that is, the sales of foreigners to us, and therefore, to precisely the same extent, our sales to them. Consequently, we restrict the foreign market to our agricultural produce to exactly the same extent that we restrict the home market to foreign manufactures. Here is a positive disadvantage to the agriculturist, for which you can give him no compensation.

Nor is this the only disadvantage. The price of manufactures is determined by the demand for home consumption, and is not affected by the foreign demand; as is proved by the fact, that a duty on foreign importations can

be protective. When any article, no matter what, depends on the foreign demand for its price, it is beyond the reach of protection; for protection secures only the home market, but this article has already secured that, and demands a foreign market. But the price of our agricultural produce is determined, not by the demand for home consumption, but by the foreign demand, and is determined by the price we can command for the surplus which seeks a foreign market. But the protective tariff lessens this foreign demand, and, consequently, the price the agriculturist can command for his produce, whether at home or abroad; for a lessened demand always lowers the price. Thus, under the protective tariff, the farmer sells less, and at a lower price. But the tariff raises the price of manufactures; for, if it do not, it is not protective. Consequently, under the operation of a protective tariff, the farmer sells less, and at a diminished profit, while at the same time he is compelled to pay a higher price for what he buys. You diminish his means, and increase his expenses. Here is the necessary operation of a tariff for the protection of manufactures. Will the advocates of protection tell us how they propose to compensate the agricultural interest? The simple truth is, if you will impose a duty for the benefit of the manufacturing community, you must do it at the expense of the agricultural community, for this is the only way in which it can be done. As honest men, you should, then, boldly avow, that you mean to tax the farmer and planter for the benefit of the manufacturer; or else repeal your protective tariff, and refuse to grant a special protection to any industrial interest.

There are other interests, such as the commercial and navigation interests, which are also affected unfavorably by the protective policy, and for which there is no compensating advantage; but we do not deem it worth our while to go into details. We have said enough to show the absurdity of attempting to afford an equal special protection to all interests. Such absurdities are well enough when put forth by "the Farmer of Ashland" and his partisans, because in perfect keeping with their general character and professions. We expect from that quarter nothing more sound or more honest. But we do grieve to find our Republican friends, men who profess a better creed, and who do know something of political economy, suffering themselves to be led away by Whig fallacies and absurdities. *The only pos-*

sible way of protecting all interests alike, is for the government to afford special protection to none. The only wise course for an American statesman to recommend to his countrymen is that of free commercial intercourse with all nations. We wish we were, as a people, wise enough and honest enough to refuse to raise our revenue by duties on imports, and to raise it only by a direct tax on property. Politicians may say what they please, may express all the horror they can contrive to affect at the proposition: but a direct tax on property is the only honorable, the only just, the only wise tax. When the revenue is raised directly, the government is sure to be kept pure by being kept poor. Each man knows how much he pays, and is sure to look closely after its expenditure. But it is, at present, idle to contend for the system of direct taxation. That would be equal and just, and therefore must needs be offensive. The present system, which raises the revenue without any man's knowing precisely how much he pays, enables the government to plunder the people much more effectually, and to a much greater extent, than it could under a system of direct taxation, and, what is equally to the purpose, compels the poor man to pay relatively altogether a larger proportion of the tax than the rich. Your Abbot Lawrences pay no portion of the tax to the government, but receive a bounty from it; while the poor girl in their mills pays a tax of at least some thirty per cent average on every manufactured article she consumes. So, of course, direct taxation is out of the question. It would be horrible to make the rich bear their due proportion of the expenses of the government. Are not the poor the lowest *stratum* of society? On whom else, then, should rest its weight? But, in case we cannot go to direct taxation, but will continue to raise the revenue by imposts, we insist the duties should be laid on revenue principles, and for revenue alone. This is what, and all that, the opponents of the tariff contend for; we are all of us willing to support a revenue tariff with discrimination,—but discrimination *for revenue*, not *for protection*. For such a tariff we contend, on such a tariff we will insist, and decidedly, firmly, perseveringly oppose the imposition of any other. No party can count on our support,—and we speak not merely for ourselves individually, for on this question we represent a party,—any further than it labors in good faith, earnestly, and perseveringly, to adjust the tariff on revenue principles, and on revenue principles alone.

We have a high respect for the present candidate of the Democratic party. We hailed his nomination with pleasure; for we thought, from such of his speeches as we had read, that he was opposed to a protective tariff, and because we trusted his nomination would prove the dawn of a better era. But he has seen proper to come out in favor of a tariff which discriminates for protection; and no allegiance to party, no fear of endangering the success of the party in the election, shall deter us a moment from expressing our utter detestation of such a tariff. Nobody will suspect us of any undue partiality to the Whig party, or to its candidates, and nobody can with justice doubt our strong attachment to the Republican party, with which our political fortune is bound up; but we say boldly, that we would rather see our party eternally in the minority, than to see it acquiring power by the abandonment of one honest principle, or by the adoption of a single measure of policy repugnant to justice, and to the real prosperity of the country. If we knew that our individual opposition to a protective tariff would defeat Mr. Polk's election,—on which, however, it will have no effect,—we should not hesitate a moment to oppose such a tariff. We should regret his defeat; but we should regret the defeat of the party less than we should its accession to power, pledged to a protective tariff, or, what is the same thing, to "a revenue tariff with discrimination for the protection of home industry." The fear of endangering the success of one's party is a padlock to many a man's lips. It never has been, and never shall be, one to ours. We do not chance to believe in the *infallibility* of parties, nor that attachment to party absolves a man from his individual responsibility. The great question, which will be asked us in that day when we must all give an account of whatever we have done, will not be, Have you been true to your party? but, Have you been true to the best light you had, or could obtain, as to what was for the true interest of your country?

But in concluding these brief remarks, which we are well aware do by no means constitute an adequate discussion of the great subject they concern, we will venture to predict, that the time is not far distant, when the northern manufacturers themselves will be as strongly opposed to the present protective tariff as we are. These manufacturers are, no doubt, very respectable business-men, and know something of bookkeeping,—very respectable citizens unquestionably, liberal, hospitable, in private life, and able and

willing to entertain one very agreeably with good dinners, and not bad wines; but they are by no means so far-sighted, even where their own interests are concerned, as they think themselves, or as many others think them. They must remember, that our principal market must always be the home market; for ours is, and can be, but one manufacturing nation among many. Their principal home market is at the South and West. Have they calculated how long they are likely to keep this market? The southern states are a great market for our manufacturers, because they are great staple states; and they are great staple states, because there is a foreign demand for their staples. Suppose this foreign demand to be cut off. Suppose that India, Egypt, South America, and Texas, in case it is not annexed to the Union, should finally be able to supply, or to supply to a very considerable extent, the European cotton market. What would be the effect on the northern manufacturing interest? On what depends the ability of the North to sell its manufactured goods to the West and South? On the ability of the West and South to sell their produce. But to whom? Not to us; for we can consume but a small portion of it. Not to themselves; for they are sellers, not purchasers. To whom, then? Of course to foreigners. But suppose we exclude foreign manufactures, how shall foreigners be able to buy the surplus produce of the South and West? If foreigners cannot exchange their produce for the surplus produce of the South and West, the South and West cannot buy of us. What, then, is the necessary result? Why, the South and West must withdraw a portion of their capital now invested in agriculture, and go to manufacturing for themselves. Now, do not our manufacturers perceive, that the restrictive policy they advocate, by diminishing relatively the foreign demand, must necessarily ere long drive the South and West into manufacturing in self-defence; and that they are raising up a rival at home for the home market, with whom they will find it difficult to compete? And when they have raised up this rival, what then will be their condition? They will have lost their best market, and will find themselves with an immense investment of capital in manufacturing establishments, an overgrown manufacturing population, and little or no demand for their goods. This is the prospect before them, and to this result they are hastening as fast as possible. Mr. Webster seems to have seen this, and in his famous Baltimore speech, a year and a half ago, suggested, as their true friend, the only policy which could

avert or delay it. They rejected that policy, and he seems to have abandoned it. The time will soon come, but not till it is too late, when our northern manufacturers will open their eyes, and begin to clamor for free trade, while the mighty West, having also embarked in manufacturing, and holding the balance of power, will insist on protection. Then your Lawrences and their compeers, who by their wealth have been able to float to the surface of society, and who are looked upon as directing its current because they are borne on by it, will be estimated at their true value; and hundreds and thousands, who have floated after them in the same direction, will curse the day when they suffered themselves to aid in fastening the iniquitous restrictive system on the country. It is rare that avarice fails to overreach itself, and to bring down upon its own head the punishment it merits. Our manufacturers remind us of a stanza by Southey, in his and Coleridge's *Devil's Thoughts*:—

> "Down a river there plied with wind and tide
> A pig with vast celerity;
> And the Devil looked wise, as he saw how, the while,
> It cut its own throat. There! quoth he, with a smile,
> Goes England's 'commercial prosperity.'"

And so our manufacturers, swimming with wind and tide down the river, are cutting their own throats; but before they have fairly done it, they will have become so involved in the whole industrial system of the country, and all the other industrial interests of the country will become so mixed up with the manufacturing interest, that their ruin will only make matters worse. It is not yet, perhaps, if we were wise, too late to remedy the evil; but we confess, that we "hope against hope;" that we see little prospect of the remedy's being applied in season, and that we turn pretty much in despair from the government. The fatal error has been committed, and we do not believe that there remains virtue enough in the community to retrieve it. We are a nation of mammon-worshippers, and there is no good for us till we forsake our idolatry, and return to the worship of God, which we show no signs of being likely to do. In the mean time, hoping always that Providence may interpose to arrest the evil before it is past remedy, nothing remains for those of us who see the evil, and would make our country great, glorious, virtuous, and happy, but to keep on our way, sowing, it may be, in discouragement and grief, but trusting still to Him who permitteth not a sparrow to fall without his notice, that in due time we shall reap if we faint not.

THE SUFFRAGE PARTY IN RHODE ISLAND.*

[From Brownson's Quarterly Review for October, 1844.]

It is no pleasant task to us to review this work, a professed history of the proceedings of the late suffrage party in Rhode Island. It is a work written with intense feeling, and very considerable ability, by one for whom we entertain, and always must entertain, a very high personal regard. We find in it the spirit of a high-toned woman, a woman's deep sympathies, just sense of humanity, and, we may add, a woman's reasoning, more perplexing than convincing, and better adapted to touch the heart than to satisfy the understanding. Moreover, we once ventured to call the individual principally concerned in these proceedings our personal friend. We esteemed him as a man of no mean intellectual ability, of firm principles, of ardent devotion to popular rights, a true-hearted patriot, and an honest man. And of him, personally, we have seen no cause to change our opinion. We have delighted to meet him, and felt ourselves honored by his friendship. We should regard his friendship, which unhappily we do not retain, no less now he occupies a prisoner's cell, than formerly. We believe he acted from his convictions of right, that he was sincere in what he attempted, and that his only motive was to benefit the mass of the people of his native state.

And yet we have never for one moment approved the proceedings of the suffrage party. We, in common with the great body of the American people, wished to see the elective franchise extended to the great mass of those who could not be electors under the old established freehold qualification. Though not by any means accustomed to rate the elective franchise so high as do the members generally of the political party with which we are associated, and though very far from believing the acquisition of universal suffrage equivalent to the acquisition of liberty, or that universal suffrage affords any considerable guaranty, in a country where inequality of property obtains, of wise or just government,—we have yet believed it essential to the perfec-

**Might and Right.* By a Rhode Islander. Providence: 1844.

tion of the political system adopted in this country, and have therefore always advocated its general adoption. Accordingly, we were among those who encouraged the formation of the suffrage association, believing, as we did, that its only design was to act on public opinion, and by the force of opinion, to compel the charter government to take measures for the formation and adoption of a more liberal constitution. We willingly accepted an invitation to address the association, in Providence, early in January, 1841, in favor of an extension of suffrage. We watched the progress of the movement up to the time of calling the suffrage convention, when, becoming engrossed with other matters, we paid no more attention to the subject, till about the time when the new government under the people's constitution was preparing to organize itself. We regarded the whole proceedings under that constitution as illegal and revolutionary ; but we were not disposed to condemn them with much severity, because we could not perceive how any amendment could be legally introduced, or the evils complained of legally redressed. We supposed the restriction on suffrage was a provision of the charter, and, if so, it could not be altered by any legal authority in the state, as the charter did not provide for its own amendment.

Taking this view of the question, we argued, that, let the measures for the extension of suffrage, or the formation of a new constitution emanate from what source they might, from the suffrage association or from the general assembly, since not authorized by the charter from which existing authorities derive their existence and power, they must needs be, in fact, illegal and revolutionary. The people's constitution is, we said, confessedly illegal in its origin ; but so also must be a constitution framed by a convention called by the general assembly, for the general assembly has no authority from the charter to call a convention. Since, then, the suffrage association have called a convention, since that convention has framed a constitution, and since a majority of the people of Rhode Island, as it is alleged, have voted for it, it is decidedly best to let it go peaceably into operation. It is not, it is true, a good constitution ; it contains several very objectionable features ; but as it provides for its own amendment, it may hereafter be amended ; and, bad as it is, it is better than the old charter. Presuming, from the information we received, that an immense majority of the people were satisfied with it, we concluded that nothing

was wanted but a little firmness on the part of Mr. Dorr and his friends in its defence, to induce the charter party to yield, and suffer the new government to go quietly into operation; and being also a little indignant at what we regarded the unwarrantable interference of the federal executive, we wrote to Mr. Dorr a letter, which he has since done us the honor to publish, and which he must have received a day or two before his attack on the arsenal, detailing the conversation we had had with a Whig member of the Massachusetts legislature, and urging him to firmness in asserting the constitution under which he was elected. That the letter may be construed into the expression of approbation of Mr. Dorr's principle of proceeding is very possible, for it was hastily written for a special purpose; but it was not intended to express any approbation of any thing but his cause, to wit, extension of suffrage; for that was all in his proceedings we really approved.

But, after Mr. Dorr's failure, it came out that the limitation of suffrage to a freehold qualification was *not a provision of the charter, but an act of the legislature.* This changed the whole aspect of the case; for now it could no longer be pretended that there was no legal authority in the state competent to extend the elective franchise to all to whom it could be advisable to extend it. We saw that we had reasoned from false premises, and had therefore come to false conclusions. And when we met with a very able pamphlet on the subject by Mr. Elisha R. Potter, at present a member of congress from Rhode Island, we found that we could not, without belying our own cherished convictions, any longer countenance, in any form or manner, the proceedings of the suffrage party. Since then, we have expressed, on various occasions, our dissent from them, and in some essays on the *Origin and Ground of Government*, we discussed the whole doctrine involved in them with as much thoroughness as seemed to us necessary.

We have made these personal explanations, because our course in regard to the suffrage movement in Rhode Island has been much misrepresented, and adduced as another instance of our fickleness and frequent changes of doctrine and position; and because it has been made the occasion of bringing us, to no inconsiderable extent, under the ban of our own party. We have no apology to offer, and nothing of which to accuse ourselves, but that of relying on the representations made of the charter by our suffrage friends,

instead of consulting the charter itself. Had we taken the proper pains to inform ourselves of its real character, in the first instance, we should have never for a moment *seemed* to occupy any other position in regard to the suffrage movement than we do now; for our principles have undergone no change, and we had expressed, had even written out and published, the same doctrines as applicable to the case before, that we have since, as any one may satisfy himself by consulting Mr. Potter's pamphlet to which we have already alluded.

On one point, however, the controversy growing out of the Rhode Island suffrage movement has led us to reflect more than we had previously done, and on which our views, if not changed, have at least become clearer and more definite. We refer to what is called *the sacred right of revolution.* We believe the *political sovereignty*, under the spiritual sovereignty of Christ, which has always a visible embodiment and organ on earth, *resides in the body of the nation.* We say *nation* instead of *people*, because the term is less ambiguous. The term *nation* conveys always the idea of a corporation, an organic body; while the word *people* may mean only a numerical collection of individuals. A nation never exists without a legal constitution of some sort, written or unwritten, and some legal forms or modes for collecting the national sense. Now, since the nation has a corporate existence by virtue of the fact that it is a nation, it possesses in itself the supreme political power, which commissions all the officers of government, and to which they are responsible. When these officers, or what is called the government, betray their trust, break the fundamental laws of the nation, whether those laws are written on parchment, or in the customs of the people existing from time immemorial, the nation, acting in accordance with these laws and customs, may unmake the administrators of the government, commission new ones, and institute new guaranties against abuses, and even by force of arms, if necessary. So far as this is a right of revolution, we are advocates of that right, but no further. But so long as the legitimate administrators of the government observe the national laws, and administer the government in accordance with them, honestly, and with a single eye to the maintenance of justice, we hold all resistance to the civil authority to be criminal. A revolution, for the mere purpose of changing the form of government, of substituting one form

of government for another, as monarchy for aristocracy, or democracy for monarchy, or *vice versa*, we hold to be never justifiable. The authorities must themselves transgress the national laws, and put themselves thus out of the protection of the law, before the citizen or subject can have the right to resist them. We may resist tyrants and usurpers, but never the lawful magistrate in the lawful discharge of his official functions.

The principles here laid down will justify the colonists in their separation from Great Britain, but not Mr. Dorr in his attempted revolution in Rhode Island. Our fathers took up arms to resist an aggression on their constitutional and chartered rights. They contended, not that the British government had invaded or failed to secure certain assumed abstract rights of man, but their rights as recognized by the British constitution and the colonial charters. It is against George III. as a *tyrant*, as violating the national laws, that they profess to take up arms; not against the king in the legal exercise of his constitutional prerogative. But the suffrage party planted themselves on no national law of Rhode Island, written or unwritten, they alleged, and could allege, no transgression, on the part of the charter government, of any public law, no usurpation, no act of tyranny. They simply alleged that the charter government did not correspond to their notions of the best possible form of government, did not secure what they regarded as the abstract rights of man; and they took up arms, not to expel a tyrant or usurper, but to establish a new form of government, more conformable to their notions of abstract truth and justice.

Here is a broad difference between the suffrage men and the patriots of the revolution, which the author of the work before us has failed to recognize, and which would have prevented her, had she recognized it, from placing the heroes of Federal Hill and Chepachet on the same line with the heroes of Saratoga and Yorktown. The former were, view them in what light you will, rebels against legitimate authority; but the latter were resisting aggression, and vindicating the violated majesty of the laws. The suffrage men may have meant well, and they may have incurred no great share of *moral* guilt; for to moral guilt there must be a guilty moral intent, or, what is the same thing, a culpable ignorance. But they were politically rebels, and could be treated only as such by a government that respected itself, and resolved to discharge its legal functions.

We regard this question as one of vital importance in our country. The laws have, with us, their chief support in public opinion. Let that opinion become unsound or corrupt, and the laws lose their force, and we are without protection. If the doctrine once obtain among us, that legal authority may be set aside for the purpose of making the government conform to our abstract theories of human rights, there is no foreseeing the lawlessness and anarchy which will ensue. The symptoms are already threatening; and recent riots and mobs, and, worse than all, the delay and hesitancy of authority in using force for their suppression, and the very extensive doubts which obtain as to the rightfulness of resorting to force at all, are to us really not a little alarming. We are, we own, sensitive on this subject; when we reflect that we have recently come to entertain a faith extremely odious to the great majority of our countrymen, and when we see associations formed expressly for its suppression, its adherents shot down by an armed mob in the streets, and its consecrated churches in flames, while the rabble, not composed altogether of those commonly meant by the lower classes, look on and shout, we feel more and more the necessity of rebuking the mobocratic spirit, in whatever form it may manifest itself, and more and more the necessity of inculcating a reverence for law, and strict obedience to the lawful magistrate in the discharge of his lawful duties. We cannot afford, in this country, to insist on "the sacred right of insurrection," for we shall, if we do, have bands of insurgents ere long in every town, village, and hamlet, in the land. Whatever we may think of Mr. Dorr and his friends personally, we cannot approve their measures, or defend their doctrines, without a terrible hazard to the country, to all security of peace, life, property, and conscience.

As to the proceedings of the law and order party in Rhode Island, we are far from believing that they are in all cases defensible. We are glad that that party has succeeded; but it is evident now that it magnified the real danger, and was less calm and collected than it might have been. We think the friends of the government suffered themselves to be exasperated beyond measure, and to practise, in some instances, cruelties which were as cowardly as they were uncalled for. But we must say for the people of Rhode Island of both parties, that in general they came as near making war on *Christian* principles as could be expected. They seem to

have had a generous disposition to do as little harm as possible to their friends and neighbors. Still, we wish the friends of the government had shown a little more consideration to the prisoners taken at Chepachet after the war was over, and, as they had shown much tenderness of heart during the battle, that they had continued to show the same in the flush of victory. They must have known that the suffrage men, women, and children, however mistaken or deluded, were not really criminally disposed, and would not have espoused the cause they did, had they felt that it was *morally* wrong.

But making all abatements for the panic and the momentary cruelty, we doubt whether, upon the whole, we ought not to say that the Algerines, as they are called, conducted with singular moderation and leniency, under the circumstances. We cannot wholly approve of their doings, but we do not think that they are deserving any great severity of censure. It seems to us, that, since the panic subsided, —perhaps not an unreasonable panic,—they have been disposed to let off the offenders as easily as possible. The convictions and punishments have been very few; and we believe that there has been no one, charged only with a political offence, but could have escaped all punishment by taking an oath of allegiance to the existing government, and giving moderate bonds to keep the peace. We are sure no government was ever more moderate in its demands, or showed itself more ready to forget and forgive the past.

The case of Mr. Dorr is, we own, one of considerable hardship. Mr. Dorr had, we believe, no private ambition to gratify; we know, personally, that he very reluctantly became involved in the proceedings of the suffrage party, and we have no doubt that he himself believed that he was engaged in a great and holy cause, and perfectly justifiable in the course he took. It may be said that he ought to have known better, lawyer as he was, and this cannot be denied; but when we find such men as Mr. Van Buren, Senators Benton and Allen, Governors Hubbard and Morton, and Messrs. Bancroft, M'Neil, Rantoul, and Hallett, supporting him, and maintaining the strict justice and legality of his proceedings, we may, perhaps, find some palliation of his offence. We can easily believe him free from *moral* guilt. His party is so completely prostrated, and public opinion, notwithstanding appearances, is so decidedly against his proceedings, that we do not believe that considerations of

public safety require his incarceration. Personally he has been at least sufficiently punished. The government of Rhode Island is as firmly established as that of any other state in the Union. Let it permit one, whose good intentions it has no reason to distrust, to tell it that it is strong enough to be generous. We own, the insane proceedings of individuals out of the state must be offensive, and that no government that respects itself can yield to their demands. They are wrong. They are cruel to Mr. Dorr, whose friends they pretend they are. They are really his worst enemies. And yet the government can disregard them, and be generous without fear of misconstruction. An act of clemency is sometimes worth more to a government than the infliction of a merited punishment. The government has done itself honor in imposing the heaviest penalty on the chief instead of the subalterns. It has vindicated the majesty of the law; it has shown its justice; now let it show its mercy, and blot out the memory of the past.

We have been assured that the authorities of Rhode Island are ready to liberate Mr. Dorr the moment he testifies his willingness to submit to the existing government, and to take the oath of allegiance. That he should be reluctant to do this is not strange. He holds that he has committed no offence; that the acts for which he is punished were done by him as the rightful governor of the state, in the conscientious discharge of his constitutional functions. His failure to maintain his authority before superior force did not and could not vitiate his title, or render his acts criminal. Shall he now yield, acknowledge himself guilty, and sue for pardon? No; better die on the scaffold, or rot in the dungeon. This is the view which he takes.

We hope we are able to reverence the martyr spirit wherever we see it displayed; and we frankly own, that, if we took Mr. Dorr's own view of his case, we should look upon him as a sublime example of moral heroism. But he himself must be aware that there is something to be said on the other side. Even his acceptance of the office of governor under the people's constitution was treason by the law of the state. Of this he cannot doubt. Then he was not the rightful governor of the state; and if not the rightful governor of the state, there can be no question that the acts he performed rendered him guilty of treason. The act of the general assembly, April 6, 1842, entitled "An act in

relation to offences against the sovereign power of the state," declared his attempt to exercise the office of governor to be treason; and that law was valid, because the general assembly was still in the full exercise of all its legislative functions, had been superseded by no law paramount to its own, and was, in fact, the only known legislative authority in Rhode Island. It is idle to pretend, that, on the 6th of April, 1842, the general assembly had ceased to exist, or in any sense been superseded. An association, unrecognized by any public law or any public authority, had, it is true, framed an instrument which was called a constitution, had sent it out, and a number of persons in Rhode Island, said to be a majority of all the adult males in the state, recorded their names in its favor, and certain individuals, equally unknown to all existing public authority, declared it to be the paramount law of the land. But this could not make it so. Everybody knows that it was not the paramount law of the land *de facto*. Was it the paramount law *de jure?* Its advocates say now, indeed, that it was, because a majority of the people of Rhode Island had voted for it. But to this we may reply, 1, That the fact, that a majority did vote for it, has never been legally ascertained, and is more than questionable; 2. That it is well known that the intent of large numbers who did vote for it was, not to establish it as the constitution of the state, but simply to record their opinion in favor of an extension of suffrage; and 3. That, even if a majority had voted for it with the intent to adopt it as a constitution, it would not have been the paramount law of the land, because there was no law in Rhode Island, written or unwritten, which declared the will of the majority of the adult male population the supreme law.

Furthermore, the existing public authorities *ignored* it, and its warmest and most influential friends did not hesitate to acknowledge the legality of the existing authorities, by holding seats in the general assembly, and participating in its doings. Mr. Atwill, a legal gentleman of respectable attainments, and subsequently Mr. Dorr's attorney-general, when the question came up in the assembly, was unwilling to give it as his opinion that the people's constitution was the paramount law of the land, and even expressed a doubt to the contrary. The whole conduct of the suffrage party at the time shows that they entertained the same doubt. The propositions made respectively by Messrs. Burgess and Keech, two of Mr. Dorr's friends, to the assembly,—propo-

sitions to abandon, on certain conditions, the people's constitution,—showed that it was not regarded by them as having any legal force; for, if they had so regarded it, they could not have made propositions for setting it aside, for they would have regarded such propositions as treasonable.

But if this constitution was not at that time the paramount law of the land, as it was not, either in fact or in right, or even in the estimation of its friends, the general assembly was in full force as the supreme legislative authority of the state. Consequently, its legal acts were binding on all the citizens of the state. They were, then, binding on Mr. Dorr, and, by doing what it declared to be treason, he incurred the political guilt of treason, and therefore became obnoxious to the penalty annexed. Now, since nothing can be clearer than that he is guilty of treason according to the laws of his state, there can be no real self-abasement, or want of manliness, in admitting the fact, by submitting to the existing authorities, and consenting to receive a pardon.

We say further, that, setting all this reasoning aside, Mr. Dorr is bound by his own principles to submit to the existing government, and to take the oath of allegiance. Mr. Dorr contends that the majority of the people have the inherent right to rule. This, with him, is a natural right, at least recognized as such by the American system of government. We, of course, do not admit this; but he does, and that is enough for him. The will of the majority, therefore, however expressed, is the supreme law. The people's constitution was adopted by the majority of the people; therefore it was the supreme law. He was elected governor under that constitution, and therefore he was legally elected, and therefore was the rightful governor of the state. Be it so. But, subsequently to the adoption of the people's constitution, a majority of the people of Rhode Island adopted another constitution. This subsequent constitution necessarily overrides the preceding one. Now, if the will of the majority has a right to rule, it has the right to rule through this subsequent constitution; for this is the latest expression of their will. Consequently, Mr. Dorr is bound by his own principles to recognize it as the legitimate government, and may therefore take the oath of allegiance without abandoning in the least the principles for which he has contended. We are surprised that he did not see this, and avail himself of this argument, before his trial; for we

presume, that, if he had so done, and taken the oath, he would not have been brought to a trial at all.

But we have no room to extend our remarks. We have merely wished, while expressing our sympathy with Mr. Dorr, and our earnest desire for his liberation and restoration to his social and civil rights, to say a word in defence of the authorities of Rhode Island. We believe the government of Rhode Island is much calumniated, and that, if the American people fairly understood the case, they would by no means tolerate the abuse so liberally heaped upon it. For ourselves, we believe that the interests of humanity and social progress are fully as likely to be promoted by siding with the public authorities in the legal discharge of their legal functions, as with those who resist them. It is not the part of good citizens to take it for granted that the government is always in the wrong, and that they who resist it are always in the right. As a general rule, the interests of social and individual progress and well-being require us to sustain the constituted authorities, and *always* when these authorities keep within the sphere of their constitutional powers.

For the book which we have introduced, we have not much to say. It is ably, in some passages eloquently, and even powerfully, written. It is not always correct in its details, and is very far from possessing the true character of an historical work. The most we can say of it is, that it is an able, an eloquent, apology for Mr. Dorr and his friends, —as able as any thing we have seen written on the subject. But it is so erroneous in its premises, so false in its conclusions, so dangerous in its doctrines, so well calculated to mislead, and to undermine the foundations of all proper respect for authority, for law, that we dare not recommend it to our readers.

THE RECENT ELECTION.

[From Brownson's Quarterly Review for January, 1845.]

The country has had enough of political discussion for the last year, and now needs repose. Much has been said and done for which we as a people should humble ourselves and ask pardon of the God of nations. On neither side has the campaign been conducted in a firm, upright, and honest manner. Both parties have occasionally resorted to practices which are unbecoming freemen, and repugnant to the purity and stability of our political institutions. But the struggle has been a desperate one, and almost every thing was at stake. Much also must be pardoned to human infirmity. Men are not saints or angels, and we have no right to expect perfection in their conduct, whether individual or collective. However much there may have been to disapprove on one side or the other, the result shows that an ever merciful Providence still continues to watch over us, and that the God of our fathers has not wholly abandoned us.

For ourselves, in the late election, we have been rather a censor of both parties than a partisan of either. Many of our Democratic friends regretted some remarks we made on the protective policy in our journal for October last. If we had supposed Mr. Polk's election at all uncertain, or if we had supposed our remarks could have deprived him of a single vote, we certainly should not have made them at the time we did. We felt called upon, in justice to ourselves and to our readers, to enter our protest against the unsound views advocated, or seemingly advocated, by a portion of the Democratic press on the subject of the tariff. Believing as we do that the protective policy, so called, is deeply prejudicial to the interests of labor, and in fact ruinous to every section of our country, we could not remain silent while any portion of our friends were seeming to advocate it. Our remarks did no harm, and we hope they may have done some good. It is important in a country like ours that elections should be conducted on strict principle, that the real issues be made up, distinctly presented, and firmly adhered to; for we cannot repeat too often, that it is better to be defeated with our principles than to succeed without them.

But enough of this. Those who have accused us of dissenting from the Democratic party, and of turning Whig, we trust will live long enough to discover their mistake. We are no blind partisans,—no slavish adherents to any party; but we approve, and support as well as we can, not all the leading *doctrines*, but all the leading *measures* of the Democratic party, and shall most likely continue to do so. The Democratic party is not all we wish it; but it is the only party in the country which it seems to us possible for an honest man and a firm patriot to support. So regarding it, we rejoice in the election of its presidential candidate, and look forward with some hope to the dawn of a better day for our country.

The election of Mr. Polk has settled several important questions, and we hope permanently settled them. We have now, we trust, got rid for ever of the log cabin, 'coon skins, and the like methods of appealing to the good sense of independent voters, of influencing virtuous and intelligent electors! We shall have no United States bank. The new feudalism will not be consolidated and fastened for ever on the country beyond the hope of redress. We shall have no distribution of the proceeds of the public lands among the states as bribes to an iniquitous policy, and for the purpose of making the states dependent on their own creature. We shall have no assumption of the state debts by the federal government, and the indebted states will be taught that they cannot run in debt in the expectation that the Union will relieve them. We shall have a divorce between the government and banks, and the business of banking, by the establishment of an independent treasury. This cardinal measure of Mr. Van Buren's administration, we trust, will be revived, with some modifications, and, if reënacted, it cannot fail to become the settled policy of the country. This, if we stop here, will be no slight gain, and sufficient to render Mr. Polk's administration memorable.

But, in addition, we shall have Texas. The reannexation of Texas is a measure of vital importance to this country, and must and will sooner or later be effected, in one way or another. They who oppose it are warring against the interests of their country, the interests of Texas, and even of Mexico. It is remarkable that we have in our country a large party which always acts on the principle, that, in every controversy with foreign powers, our country is sure to be in the wrong. These are opposed to the reannexation of

Texas, but they are impotent, and should never be counted. They may be led on by the venerable sage of Quincy, and the distinguished senator from Missouri, but they can effect nothing. They may plead, they may warn, may threaten, may aid and abet the enemies of the republic; but we trust the government will pursue its course without heeding them, knowing that their opposition is founded on no loftier principle than disappointed ambition, and unwillingness that the interests of the country should be promoted by any hands but their own

We have no space nor inclination to discuss the Texas question; but there is one point in the discussion which seems not to have received the attention it deserves. In the minds of many of our people, the point we refer to is regarded as of no importance, because many of us hold to the sacred right of rebellion, revolt, revolution, and that the people, without regard to preëxisting governmental obligations, have a right to fall back on their primitive sovereignty, and establish a new and independent government, as seems to them good. With these the simple question is, whether the people of Texas have or have not declared themselves independent of Mexico, and established a government for themselves. But, for ourselves, we detest this doctrine. We utterly deny the right of revolution, or the right to resist, for any purpose whatever, *legitimate* government in the *legal* discharge of its functions. If Texas were a revolted province of Mexico, as it seems to be widely taken for granted that it is, we should deny the right of our government to treat with it for annexation, or any other purpose, without the consent of Mexico. But the fact is, and this is the point not duly considered, *Texas is not, and never has been, a revolted province of Mexico.* Texas, with the adjoining province, by the Mexican congress of 1824, was constituted an independent state, with a stipulation in favor of a separate constitution as soon as its population should warrant. It became an independent member of the United States of Mexico, holding the same relation to the Mexican government that is held by Massachusetts to our federal Union. This fact should be remembered.

Now, the present government of Mexico is a government established by a revolution effected subsequently to 1824, against which Texas has uniformly protested. The Mexican revolution effected by Santa Anna dissolved the Mexican confederacy, and threw each member back upon its own

state sovereignty. Texas was absolved by this revolution from all obligation to the Mexican government, because *the* Mexican government to which she was bound no longer existed. She was then free either to give in her adhesion to the revolutionary government of Mexico, or to declare herself, as she was in fact and in right, an independent government. She chose the latter. Texas has, then, never rebelled against Mexico,—has never broken any of her obligations to the Mexican confederacy. Mexico has no claim to her allegiance, and can have none till she restores the federal constitution of 1824. The consent of Mexico is not, then, at all necessary to be sought, and to annex Texas to the Union can be no breach of our friendly relations with Mexico. Texas is independent of Mexico, not merely *de facto*, but *de jure*, —not because made so by the success of her arms, as too many of our people contend, but because made so by the constitution of 1824, and the subsequent Mexican revolution, against which Texas protested from the beginning. This Mr. Benton must know, and, knowing this, he must know that the consent of Mexico is a matter of no more consequence in a legal point of view than the consent of the great Cham of Tartary.

But we trust further discussion of the question is unnecessary. Some of the northern states will bluster, and pass furious resolves; some newspapers will foam and rage; some abolition fanatics will talk largely, and declaim violently, and intrigue with England, but the measure, when consummated, will be peacefully acquiesced in, will be highly popular, and redound to the honor of those by whose agency it is effected.

The remaining question for the new administration to settle is the tariff question. Here we apprehend more difficulty and a less satisfactory result. Unless the tariff is adjusted to the principle of what is called the *Compromise Act*, the question will not be disposed of. A revenue tariff all will acquiesce in; but a protective tariff will not be acquiesced in. If the new administration contents itself merely with modifying the present tariff, without expunging the protective principle, the question will remain open, and the country will continue to be agitated, to the great detriment of every branch of business. We hope, now that the people have, by so decisive a vote, condemned the father of "the American system," the government will have the courage to propose and persist in the only wise and just policy, that of adjusting the tariff on revenue principles, and revenue principles alone.

The naturalization laws, about which there is just now so much excitement, will, doubtless, remain as they are. They were adopted under the administration of Mr. Jefferson, and the Democratic party is virtually pledged before the world to sustain them, and most assuredly will sustain them, unless our naturalized citizens by voting, as large masses of them usually do, for the Whig party, throw the Democratic party into the minority. The Whigs, who have always derived more advantage from the vote of naturalized citizens than does the Democratic party, may carry on the war against foreigners; but the Democratic party will be true to their past policy and will sustain it so long as they hold the power.

In conclusion, we have only to express our gratitude to Almighty God for the result of the late election, and to call upon our Democratic friends throughout the Union to unite and sustain the administration they have elected, and to urge it on in the firm and unwearied pursuit of that policy which will be for the common good of the whole country, the elevation of labor, the promotion of intelligence and virtue, and the securing of true and permanent national prosperity, by warring against all monopolies, and refusing to grant any special protection to any one interest over another. Justice to all, favors to none, must be the American statesman's motto.

NATIONAL GREATNESS.

[From Brownson's Quarterly Review for January, 1846.]

National greatness is at all times and in all countries a subject of very deep interest, and one on which it is highly dangerous to entertain false or erroneous views. It is especially so for the American people; because we have founded a government which rests on popular opinion, and must follow its direction; and because we entertain very lofty notions of the greatness to which we have already attained, and are disposed to indulge in no little patriotic pride when contemplating what we have done since we became an independent nation, and looking forward to what we are likely to do hereafter.

It is true, that now and then is heard a discordant note in the general harmony of self-glorification; it is true, that here and there a disappointed, discontented, perhaps ascetic voice, is heard intimating that all is not gold that glisters, that the sparkling eye and blooming cheek do not always indicate sound health and promise long life, and that beneath the festive robes and wreaths of flowers may often, as at Egyptian feasts, be detected the ghastly and grinning features of death; but, in general, the great mass of us, from New England's loftiest statesman down to the pettiest Fourth of July orator, loudly applaud ourselves for what we have done, are sure that we have chosen the right path, that we surpass in true wisdom all the nations which have been or now are, and that nothing remains for us but to keep on in the way we have thus far followed, and indulge the most glorious and thrilling anticipations of future greatness and renown.

And have we not the right to do so? We are merely of yesterday; and yet, what have we not done! We have felled the primitive forests, and planted the rose in the wilderness; we have erected the thronged city, the populous town, the thriving village, where within the memory of the middle-aged man prowled the beast of prey, or curled the smoke of the wigwam. We have intersected a continent with our canals and railways; we have whitened every ocean with our sails, and filled every port with our ships; and are rivalling, in the quality, variety, and extent of our manufactures, the more renowned industrial nations of the globe. Our whole population is employed. The hammer of industry rings from morning till night, till far into the night, and we seem to have the Midas gift of turning whatever we touch into gold. Nor have we stopped here. We have dotted the land all over with meeting-houses, school-houses, academies, colleges, and universities, and our whole population goes to school. We have an active press, throwing off daily its millions of sheets for our instruction or amusement. We have hospitals, asylums, retreats for the insane, the blind, the deaf, the dumb; poor-houses for vagrants and paupers; gaols and penitentiaries for the vicious and criminal. Over all we have a free, pure, economical, and effective government, admirably reconciling the authority of the state with the freedom of the subject; and withal the priceless blessings of religious liberty, permitting sects the most opposed one to the other to meet as

brothers, leaving every man free to worship God,—or not to worship him,—according to the dictates of his own conscience. Have we not a right, then, to applaud ourselves? Are we not, in fact, a great people? And is not this a great country?

So most of us think, feel, say; and woe to him who should dare think, feel, or say otherwise. And yet, it may be worth our while to subject this estimate which we form of ourselves to a more rigid examination than we seem to have done. If it be well founded, the examination will confirm it; if not well founded, the examination will do no harm,—for few of us are prepared to adopt a conclusion unfavorable to national pride and vanity.

That this is a great country, if we speak of the territory, is very true, though not much greater than China, and far less than Russia, and withal a great part of it as yet uncultivated, and no little of it even untrodden by civilized man. But whether we are a great people or not, or whether we have any special ground of self-adulation, is another and a different question; and a question which will be variously answered, according to the views which are taken of what constitutes true national greatness. Our judgments of the comparative greatness of different nations depend entirely on the standard of greatness we adopt, and by which we judge them. We call a people great or small in proportion as they do or do not conform to our standard of greatness. Vary the standard, and we vary our judgment. The people we called great, when judged by one standard, we may call not great, if judged by a different standard. All, therefore, depends on the standard we adopt. Consequently, in order to determine whether we are really a great people or not, we must first determine what is the true standard of national greatness.

What, then, is true national greatness? We answer, that nation is greatest in which man may most easily and effectually fulfil the true and proper end of man. The nation, under the point of view we here consider the subject, is in the people. Its greatness must, then, be in the greatness of the people. The people are a collection or aggregation of individuals, and their greatness taken collectively is simply their greatness taken individually. Consequently the greatness of a nation is the greatness of the individuals that compose it. The question of national greatness resolves itself, therefore, into the question of individual greatness. The

greatness of the individual consists in his fulfilling the great ends of his existence, the ends for which Almighty God made him and placed him here. No man is truly great who neglects life's great ends, nor can one be said in truth to approach greatness any further than he fulfils them.

In order, then, to determine in what true national greatness consists, we must determine in what consists true individual greatness; and in order to determine in what true individual greatness consists, we must determine what is the true end of man; that is, what is the end to which Almighty God has appointed man, and which he is while here to labor to secure. What, then, is the end of man? For what has our Maker placed us here? To what has he bidden us aspire? Were we placed here merely to be born and to die,—to live for a moment, continue our species, toil, suffer, drop into the grave to rot, and be no more for ever? If this be our end, true greatness will consist in living for this life only, and in being great in that which pertains to this life. The greatest man will be he who succeeds best in amassing the goods of this world, in securing its honors and luxuries, or simply in multiplying for himself the means of sensual enjoyment. In a word, the greatest man will be he who most abounds in wealth and luxury.

We mean not to say, that, in point of fact, wealth and luxury, worldly honors and sensual gratifications, are the chief goods of even this life; but simply that they would be, if this were our only life, if our destiny were a destiny to be accomplished in this world. It is because this world is not our home, because we are merely travellers through it, and our destination is a world beyond it, that the life of justice and sanctity yields us even here our truest and most substantial pleasure. But confine man to this life, let it be true that he has no destiny beyond it, and nothing could, relatively to him, be called great or good, not included under the heads of wealth and luxury. Nothing could be counted or conceived of as of the least value to him that does not directly or indirectly minister to his sensual enjoyment. No infidel moralist has ever been able, without going out of his own system, or want of system, to conceive of any thing higher, nobler, more valuable, than sensual pleasure.

But this life is not our only life, and our destiny is not accomplished here. The grave is not our final doom; this world is not our home; we were not created for this world

alone; and there is for us a life beyond this life. But even this, if we stop with it, does not answer our question. We may conceive of a future life as the simple continuation of our present natural life, and such the future life is conceived to be by not a few among us, who nevertheless flatter themselves that they are firm believers in the life and immortality brought to light through the Gospel. Every being may be said to have a natural destiny or end, which its nature is fitted and intended to gain. The Creator, in creating a being with a given nature, has given that being a pledge of the means and conditions of fulfilling it, of attaining to its natural end. Man has evidently been created with a nature that does not and cannot find its complete fulfilment in this life. He has a natural capacity for more than is actually attainable here. In this capacity he has the promise or pledge of his Maker that he shall live again. The promises of God cannot fail. Man therefore must and will live again. But this is only the pledge, so to speak, of a natural immortality, and reveals to us only a natural destiny. It is only a continuation of our natural life in another world. The end we are to labor for, and the means we are to adopt to gain it, must be precisely what they would be in case our life were to terminate at the grave. Our future life being still a natural life, what is wisest and best for that portion we are now living would be wisest and best for that portion we are hereafter to live. Hence, what is wisest and best for time would be wisest and best for eternity.

Hence it is that we find so many who, though professing belief in a future life, judge all things as if this life were our only life. They look to the future life only as the continuation of the present, and expect from it only the completion of their natural destiny. They agree in all their moral judgments, in all their estimates of the worth of things or of actions, with those who believe in no future life at all. They profess to hope for a future life, but live only for time; because their future life is to be only a continuation of time. Hence they say, as we ourselves were for years accustomed to say, He who lives wisely for time lives wisely for eternity; create a heaven here, and you will have done your best to secure your title to a heaven hereafter.

Hence it is that the morality of many who profess to be Christians is the same which is adopted and defended by

infidels. This is so obviously the case, that we not unfrequently find men who call themselves Christians commending downright unbelievers in Christianity as good moral men, and who see no reason why the morality of the infidel should not be the same in kind as the morality of the Christian. Hence it is supposed that morality may be taught in our schools, without teaching any peculiar or distinctive doctrine of Christianity. Morality, we are told, is independent of religion, and not a few regard it as sufficient without religion. So common has this mode of thinking and speaking become amongst us, that we heard the other day a tolerably intelligent Catholic, who would by no means admit himself to be deficient in the understanding or practice of his Catholic duties, say, that, if a man were only a good moral man, he did not care what was his distinctive religious belief. Many who go further, and contend that religion is necessary to morality, contend for its necessity only as a sort of police establishment. It is necessary, because the natural sanctions of the moral law are not quite sufficient to secure obedience, and religion must be called in by its hopes and fears to strengthen them.

Now all this is perfectly consistent and right, if it be true that man has only a natural destiny. We ought, in such a case, to judge all things which concern us precisely as if this were our only life. Religion could be of no value further than it strengthened the police, kept people from picking one another's pockets or cutting one another's throats. But man's destiny is not natural, but supernatural. Almighty God created him with a specific nature, but not for an end in the order of that nature, or to be attained by its simple fulfilment. He created him to his own image and likeness, but appointed him to a supernatural destiny,—to an end above what is attainable by the fulfilment of his nature,—to an end not promised in his nature, and which is not bestowed as the reward of fulfilling it. This end is to know and love God; but in a sense far higher than we can know and love him by our natural powers, and as he is now beheld through a glass, darkly, or seen dimly through the medium of his works, as we see the cause in the effect. It is to see him face to face, and to know and love him with a knowledge and love the same in kind, though not in degree, with which God knows and loves himself;—this is the end for which man was intended, and which it is made his duty and his high privilege to seek. But this end surpasses the

utmost capacity of our nature, and requires not only a supernatural revelation of God, but the supernatural elevation of our nature itself. It consists in our being made partakers of the divine nature in an ineffable sense, and in a sense above that in which we partake of it in being created after the image and likeness of God. Hence, St. Peter says, "By whom [Jesus Christ] he hath given us very great and precious promises, that by these you may be made partakers of his divine nature." So also St. John :—"We are now the sons of God, and it hath not yet appeared what we shall be. We know that, when he shall appear, we shall be like him ; because *we shall see him as he is.*"

This fact in these times is overlooked. Men have wished to rationalize the Gospel, to find a philosophic basis for the mysteries of faith. In attempting this, they have labored to bring the whole of divine revelation within the domain of reason, and have been led to exclude, as no part of it, whatever they found themselves unable to bring within that domain. Reason is necessarily restricted to the order of nature, and can in no instance, of itself, go out of that order. Hence, revelation has come very widely to be regarded as only a republication of the natural law, as at best only a running commentary on it, designed simply to explain the natural order, and not to reveal any thing above it. Men who claim to be Christians, and even ministers of the Gospel, everywhere abound, who have no faith in the supernatural order, scarcely a conception of it. We spent nearly two hours the other day trying to enable a Protestant minister, and him by no means a weak or ignorant one, even to conceive of the supernatural; but in vain. So perverted had his mind become by the false theologies of modern times, that he could attach no meaning to the assertion, "There is a supernatural order." He could use the word *supernatural*, but it had no meaning for his mind not within the order of nature. Thousands are in the same sad condition. To them nature is all, and all is nature. Indeed, the word nature itself has no definite meaning for them. If a man by a word raise the dead, it is natural ; if Moses smite the rock and living waters gush forth, it is natural,—all by a natural power, a natural law. Travelling in the same direction, they lose themselves in a wilderness of absurdities. Natural laws cease to be laws imposed on nature, laws she must obey, and from which she cannot withdraw herself, and become forces, agents, creators. It is not strange, then,

that they lose sight of the supernatural destiny of man, and look only for a natural destiny, to be obtained not as a reward for obedience to grace, but as the natural consequence of the cultivation or development of our natural powers. Read the writings of the celebrated Dr. Channing, or of the school which he founded or to which he was attached, and you shall never find a single recognition of the supernatural order, properly so called,—any allusion to a supernatural destiny. The highest end you will find presented is that to which we may attain by the unfolding of our higher nature, of our natural sentiments of love and reverence. The school goes so far as to contend that our nature is susceptible of an unbounded good, and that our natural sentiments of love and reverence are capable of an infinite expansion. Yet these are *rational* Christians, and they boast of their reason! They talk of the absurdities of Catholic theology, and see no absurdity in supposing that a finite nature may be infinitely expanded, or that a nature can be something more than it is without any thing *super*-natural.

But this by the way. The true end for which man is to live is the supernatural end to which we are appointed, the beatitude which God hath promised to all that love and serve him here. His true end is not the fulfilment of nature, but what the sacred Scriptures term "eternal life"; and "This is life eternal, that they may know thee the only true God, and Jesus Christ whom thou hast sent." We cannot know God, without loving him. Hence we say, the end of man is to know and love God. But to know him intuitively, as he knows himself; for we are to see him as he is, —not as he appears through the medium of his works, but as he is in himself. We cannot thus know him naturally, for thus to know him exceeds the power of the highest possible created intelligence. We must be *like him*, before we can see him as he is,—be made, in a supernatural sense, partakers of his divine nature. To know him intuitively as he is in himself, is, however, the glorious destiny to which we are appointed, and to which we may attain, if we will. A more glorious destiny we cannot desire. In it we possess God himself, who is the sovereign good. Even here we find our highest good in knowing the truth and loving goodness, dim as is our view of the one, and feeble as is our hold of the other. What must it be, then, when we come to behold, by the light of glory, our God face to face, with no cloud intervening to obscure his infinite beauty, no distance

between us and his ineffable love? Well may it be said, "Eye hath not seen, ear hath not heard, nor hath it entered into the heart of man to conceive what our God hath prepared for them that love him." He will reward them with no inferior, no created good; but will give them himself, will himself be their portion for ever.

But this supernatural destiny, since it is supernatural, is not naturally attainable. We may cultivate all our natural powers, we may fill up the highest and broadest capacities of our nature, realize the highest ideal, and yet be infinitely, —we use the word in its strict sense,—*infinitely* below it. It is not attained to by "self-culture," by the development and exercise of our highest natural powers, including even the boasted sentiments of love and reverence. It is nothing that is due, or ever can be due, to our nature. It is a gift, and can be obtained only as bestowed. But it will be bestowed only on the obedient, and is bestowed as the reward of obedience. Our destiny is eternal life, and the condition of obtaining it is obedience. Obedience is not, as some of the sects teach, the end for which we were made. We were made not that we might obey God, but that we might possess God; and we obey him as the condition of possessing him.

Obedience consists in fulfilling this law, "Thou shalt love the Lord thy God with thy whole heart, and with thy whole soul, and with all thy strength, and with all thy mind; and thy neighbour as thyself." This law requires us to love God supremely and exclusively. It is not enough that we love God more than we love any thing else, but we must love only him, and our neighbour and ourselves only in him and for the sake of him; otherwise we do not love him with the *whole* heart, soul, strength, and mind. But even this is not all. No love of which we are naturally capable is the fulfilling of this law, is that charity without which we are as sounding brass or a tinkling cymbal. The end is supernatural, and, if the end be supernatural, the means must be supernatural; for there must be some proportion between the means and the end, and between natural means and a supernatural end there is no proportion. Man by his natural strength, even if he had never sinned, could not keep the law of charity in that sense in which obedience has the promise of eternal life. The obedience itself must be supernatural, and therefore is not possible, unless our nature be elevated, *supernaturalized*, by divine grace, by which

our acts have a supernatural character, and a supernatural merit.

We may say, then, that Almighty God has appointed us to a supernatural end, that he has made that end attainable only by perfect obedience, and the obedience possible only by means of supernatural grace. The end for which we are intended and the means of obtaining it are both in the supernatural order, in what is called the ORDER OF GRACE, not in the order of nature. We must live not in and for the order of nature, but in and for the order of grace. Then our chief attention is to be directed to the means, influences, ministries, disciplines by which we are lifted out of the order of nature, and placed in the order of grace, on the plane of our destiny. These are dispensed, exercised, enjoined by our blessed Saviour through his holy church, which he has established for the purpose, and which represents to us and for us the supernatural order. God through the church does not merely reveal to us the end for which he intended us, and the means of obtaining it, but also dispenses the helps we need in our weakness to lift us out of the order of nature and to sustain us in the order of grace; and it is only through her ministries and disciplines that, in the ordinary course of his gracious providence, he does or will grant them, or, if he in some sense grant them, that they prove effectual. Then the indispensable conditions of obedience by which we obtain the end for which we were intended cannot be possessed but by submission to the church, and observing whatever she proposes or commands. When we do this, and freely coöperate with the grace given to all men, we are just, and are placed in that state in which obedience merits eternal life.

We can now answer the question we have asked, namely, In what consists true greatness? We began by assuming that true greatness consists in living for the end for which our Maker intended us. This end we now see is supernatural, and obtainable only by supernatural means. True greatness must consist in living for this supernatural end, and in yielding the supernatural obedience by which alone it is to be obtained. It evidently, then, consists in nothing natural, but in being lifted out of nature and placed in the order of grace, as we have said, on the plane of our destiny. The least in the order of grace is infinitely superior to the greatest in the order of nature. True greatness is, simply, in that supernatural justice and sanctity in which man was

originally constituted, which he lost by sin, which is restored by grace, and by which we are made heirs of the promises, and translated into the number of those to whom our blessed Lord himself will give a crown of life.

This answer is not ours, but the answer which Almighty God himself gives us in his revelation. Tried by the rule implied in this answer, not a few of the world's judgments must be reversed. At one stroke we must cut from the roll of great men the immense majority of those the world delights to honor, and holds up to the reverence and emulation of our youth. Renowned princes, statesmen, heroes, poets, philosophers, scholars, authors, must lose their rank, and sink below that of ordinary men. Your Goethes, Byrons, Shelleys, Scotts, Bulwers, Victor Hugos, Balzacs, Eugene Sues, George Sands, Kants, Hegels, Cousins, shrink into insignificance before the simplest Christian who has given his heart to God. What are your Alexanders, Hannibals, Cæsars, Napoleons, before a St. Gregory, a St. Bernard, a St. Francis, a St. Ignatius, a St. Xavier, a St. Charles? your Dukes of Wellington before your St. Patricks, St. Ninians, St. Columbas, or countless hosts of those whose names are unheard on earth, and known only in the Lamb's book of life? The saints are the only true nobility. No man is great but as he is good, but as he lives in the order of grace, and loves God above all things and with his whole heart and soul, and his neighbour as himself in and for the sake of God.

We have now a standard of greatness by which we can determine who is and who is not great, and by which we may determine the real value of things and conditions. Am I poor? What if I am? Does my poverty interfere with my obedience? Does it or can it debar me from obtaining that justice and sanctity in which alone is true worth, true greatness, all that it does not belittle me to crave? Am I unknown, held in no repute, despised? What of all this, if I am known and honored of God? What is it to me that I am despised by men, if I am owned by the King immortal and invisible, who with his own hand will bestow upon me a crown of life incorruptible and eternal in heaven? Talk of human respectability, of one's standing in society, of the honors one receives from the state or the mob! What is all this to him who is in the communion of the saints and martyrs of all ages and climes, who listen to his prayers, and bear them as sweet incense up before the throne of the liv-

ing God? Am I rich, am I honored, have I praise of men, do the crowd run after me, the wise and venerable listen when I speak? What of all this, if I am poor in the grace of God, have no honor in heaven, no assurance of the reward set before me,—if, when I die, I go to hell, while the poor beggar that lay at my gate is borne by the convoy of angels to Abraham's bosom?

As of the individual, so of the nation. In like manner as justice and sanctity constitute the greatness of the individual, so do they constitute the greatness of the nation. "Justice exalteth a nation, but sin is a reproach to any people." The great nation is the holy nation, rich in true obedience, and carried away by a divine passion for God and all holy things. Suppose your nation does increase in wealth, in luxury, in refinement; suppose it does fell the primeval forest and enlarge its borders, multiply its manufactures, extend its commerce, and make all climes pour their riches into its lap; what then? Does it follow that such a nation is great, is glorious, and has reason to applaud herself for her achievements and to exult over the poor and simple? "Blessed is the nation whose God is the Lord." Where is it written, Blessed is the nation whose God is Mammon, and whose worship is thrift? Where are the nations who forgot the Lord, who put their trust in their ships, their traffic, their wealth, and luxuries? Where is that ancient Tyre, "whose merchants were princes, and her traders the nobles of the earth"? Where are all the nations of the old world, once renowned for their extended commerce, the richness of their stuffs, and the variety of their manufactures? They have passed away like the morning vapor, and a few solitary ruins alone remain to point the traveller to the seats of their world-renowned idolatry.

Taking the principles we have established, we can easily answer the question, whether we are or are not a great people,—whether the path we are pursuing leads to true national greatness, or whether it leads from it. Are we as a people intent on gaining the end for which our Maker designed us? Are we remarkable for our humble observance of the precepts of the Gospel? Are we diligent to yield that obedience to which is promised eternal life? Far, very far, from it. We are a proud, loud-boasting and vain-boasting people. Our god is mammon, and our righteousness is thrift. Is it not so? To what do we point as proofs of our greatness? Is it not to our industrial achievements, our

railroads, canals, steamboats, commerce, manufactures,—material wealth and splendor? But where are our moral achievements, the monuments of our enlightened zeal for God, and humble devotion to his will? Religion we have in name, in form, in many forms and many strange forms; but where is the deep, all-pervading, all-active conviction that this world is not our home, that it is but an inn in which we may lodge for a night, but in which we may not, must not, dwell? Alas! the dominant passion of our country is worldly wealth and worldly distinction. We see it in the general pursuits of the people; we hear it in the almost universal tone of conversation; and we see it distinctly in the general scramble for wealth, in our demoralizing political contentions, and the all-devouring greediness for place and plunder.

If we look at the great political questions which agitate the public mind, we shall perceive that they are all questions concerning wealth, the means of facilitating its acquisition, of making it pass, or preventing it from passing, from the few to the many, or from the many to the few. Such are your bank questions, your tariff questions, your land-distribution questions. If you go beyond these, they are questions of the honors and emoluments of office. Not a pert upstart among us who has made his maiden caucus speech, but regards himself as qualified for any office in the gift of the people, from that of village constable up to that of president of the United States, and feels that he suffers great wrong, and adds another striking example of neglected merit, if not rewarded for his disinterested and patriotic exertions by some snug place with a fat salary. Scarcely a man seems contented to remain in private life, to live in obscurity, unheeded by his countrymen, in all humility and fidelity laboring to discharge his duty to his God, and to win the prize of eternal glory. We love the praise of men more than the praise of God; the low and transitory goods of time more than the high and permanent goods of eternity. If we are poor, we are discontented, we regard ourselves as most miserable, and rail against Providence, who permits inequalities to obtain among brethren. No one is contented with his lot in life. We are all ill-at-ease. We would all be what we are not, and have what we have not. And yet, with admirable simplicity, we ask, Are we not a great people?

Nearly all the action of the American people, collectively or individually, has reference solely to the affairs of time.

Government sinks with us into a joint-stock concern for the practice of thrift. It has no divine authority, no high and solemn moral mission. In education even, the same low and earthly view obtains. We educate for time. We seek to fit our children for getting on, as we call it, in the world, —to make them sharp, bold, enterprising, and successful business men. We teach them, indeed, that knowledge is power,—but power to outstrip their fellows in the pursuit of worldly goods. We teach them, indeed, that sloth is a mortal sin,—but sloth in the affairs of time and sense, not sloth in regard to our spiritual duties. We teach them to respect public opinion, to strive to be respectable, to be honored among men; rarely, and almost always ineffectually, to respect the law of God, to seek honor of God, and to despise that of men. Hence, they grow up timid time-servers, trimmers, moral cowards, afraid to say their souls are their own, to avow their honest convictions, if their convictions chance to be unpopular, or to follow God in the faith and worship he has ordained, if not held in repute, or if embraced only by the poor, the simple, of whom the world makes no account. To make a sacrifice for Christ, to give up all, houses, lands, wife, and children, for God, that we may have treasure in heaven, strikes us as something wholly uncalled for, as folly, as madness, worthy only of the dark ages of monkish ignorance and barbarity. To a worldly end conspire all our education, science, literature, and art. Whatever cannot be pressed into the service of man as a creature of time and sense is by the immense majority of us condemned as useless and mischievous.

That we measure all things by the standard of this life and this world is evinced by the judgments we pass on other nations. In judging others, we always judge ourselves. Tell us what nation you place highest in the scale of nations, and you tell us what are your own views of what constitutes true national greatness. We, as a people, very generally count highest in the scale of contemporary nations those in which the national energy displays itself most exclusively in an industrial direction, and which are most successful in multiplying wealth and luxury. Since the great events in the sixteenth century, which out of courtesy we must call the reformation, although it was any thing but a reformation, there has sprung up a new social order, not known in the middle ages, and not yet universally adopted in Catholic countries. The whole tendency of this order is

in an industrial direction. It places this world before the other, time before eternity, the body before the soul, the praise of men before the praise of God. It esteems the riches of this world more than the riches of divine grace, and bids us strive to live, not in the order of grace, but in the order of nature. Under this order the great aim is to be rich, independent, well off in time: to be distinguished, held in high repute one by another. We reverse the maxim of the Gospel, and say, Be not anxious for the soul, take no heed to the worship of God, nor to obedience to his laws; but seek first to get on well in this world, look to the main chance, get rich,—honestly, of course, if you can, but get rich,—be distinguished, and then the kingdom of God and his justice will be added unto you; or if not,—it will be no great matter.

Under this order, astonishing industrial triumphs have been achieved. Man has made the sea and the land his tributaries, the winds his messengers, and flames of fire his ministers. Banking-houses, exchanges, cotton-mills, docks, and wharfs supplant the old cathedral, the abbey, and the way-side chapel. It is only such nations as stand highest in this order that we call great. If, by an excess of modesty, we place any nation above our own, it is Great Britain. In our estimation, no nation has surpassed her in the wisdom of her policy, none equals her in true national greatness and prosperity. In worldly power, in worldly wealth, in vast industrial enterprises, in wonderful productive facilities and energies, she unquestionably stands at this moment unrivalled; but tried by the standard of greatness we have adopted, there are few, if any, nations on the globe that can rank far below her. What, in fact, are her national characteristics? We grant her people have been brave, are bold, enterprising, industrious, ingenious; but as a nation she is proud, arrogant, worldly, hypocritical. Her church establishment is a mockery, and her coffers are filled with the plunder of almost every people. The sun never sets upon her empire, and visits no people that does not curse her dominion. She is gorged with spoils, and drunken with the blood of the poor, the weak, the defenceless.

Nay, with all her wealth, with all her productive power, with all her devotion to the interests of time and sense, the condition of the great mass of her population, even in reference to this life alone, is far below what it was before she started on her new career, and compares unfavorably with

that of the mass of the populations in most Catholic countries even now. The lower orders in Spain and Italy, over whose sad condition we shed so much—ink, are, even as to their physical comforts, altogether superior to the lower classes in Great Britain. An Italian or Spanish peasant has a personal freedom, an elevation of mind, a dignity of soul and of manners, that you shall in vain look for in an English operative. He feels that he is a man, that there is something of nobility attaching to every soul, since our blessed Lord assumed human nature and died to redeem it. He has at least the free use of his limbs, and free access to the blessed light and air of heaven, and is not imprisoned in a union workhouse. And say what you will of popish ignorance and superstition, the worship of our Lady and the saints is at least not more degrading than the worship of the gin-shop. We have seen it recently stated, on what purports to be good authority, that in England every sixth person is a pauper, and large masses of the people, it has been proved by parliamentary commissions, grow up without any religious instruction, and live in a manner as gross and brutish as that of the South Sea Islanders,—many having never heard even the name of their Maker, except when blasphemed. There are immense estates, immense wealth, boundless luxury for the few, and the most squalid poverty and frightful distress for the many. The soil of England, which a hundred and fifty years back had at least some two hundred and forty thousand proprietors, has now less than thirty thousand. The increase of pauperism has kept pace with this concentration of the soil in the hands of fewer and fewer proprietors. Such is the tendency of your boasted industrial order in Great Britain. But in Italy, poor degraded Italy, which our *Christian Alliances* are about to visit with their benign countenances, the highest statements we have seen make the number of paupers, not one out of every six, as in England, but only one out of every twenty-five; and the provisions for education are so ample, especially in the ecclesiastical states, that the poorest father may give his son, free of expense, the best university education in the world. Yet we weep over Italy and glorify Great Britain.

If there be any truth in the principles we have laid down, —principles which rest not on our authority, but on the authority of God,—a nation is not to be accounted great in proportion to its worldly wealth and splendor; and if there

be any truth in history or experience, a nation, in directing its chief attention to these, to the growth of material wealth and power, not only cannot attain to true greatness, but must inevitably fail to secure even the temporal well-being, for any great length of time, of the great mass of its population. We are beginning ourselves to experience, and we shall experience more and more, the truth of these assertions. Here the people make the laws. But, in making the laws, they of necessity follow their dominant passion. The laws in a democracy are always true exponents of the character, the tastes, habits, and passions of the people. The dominant passion of our people at the present moment is the acquisition of material wealth, either for its own sake, or for the sake of the ease, independence, and distinction it is supposed to be able to secure. Take any ten thousand men at random, and ask them what they most desire of government, and they will answer you, if they answer you honestly,—Such laws as will facilitate the acquisition of wealth. The facilitating of the acquisition of wealth is at the bottom of every question which has any bearing on our elections. Let these men vote, and they will vote for such laws as they believe will most effectually secure this end. But suppose such laws to be enacted, how many out of the ten thousand will be in a condition to take advantage of them? Certainly, not more than one in a hundred. There will be, then, nine thousand and nine hundred men joining with one hundred to enact laws which in their operation are for the exclusive benefit of the one hundred. The whole action, the inevitable action, of every popular government, *where wealth is the dominant passion of the people*, is to foster the continued growth of inequality of property. The tendency of all laws passed, if passed by the many, will be to concentrate the property in the hands of the few, because each one who aids in passing them hopes that his will be the hands in which it is to be concentrated;—at least, such will be the tendency, till matters become so bad that the many in their madness and desperation are driven to attempt the insane remedy of agrarian laws. When, under our new system of industry, which allows little personal intercourse between landlord and tenant, proprietor and operative, which connects the operative simply with the mill and the overseer, the concentration of property in a few hands becomes general, it involves the most fatal results. We see in England only half the evil it would produce with us; be

cause there, save in the manufacturing districts, some elements of the old feudal system still remain to mitigate it. But here the evil would have no mitigation. We should have an aristocracy indeed, but one without a single quality that makes an aristocracy even endurable. An aristocracy not based on high birth or on sanctity is always intolerable. But the new order is at war with high birth, generous breeding, and is plebeian in its spirit and tendency. It is supported, commended, on the ground of its alleged popular tendencies, and its hostility to whatever remains of the old feudal order. Its direct and inevitable tendency is to substitute the cotton-mill for the old baronial castle, and your "Plugsons of St. Dorothy of Undershot," as Carlyle calls them, for the well-born, the well-bred, and the really noble, —men who have risen from the gutter without a single virtue or a single generous quality, solely by their success in tasking the industry of others, and in getting by means of their business operations a controlling influence in the industrial world. These "Plugsons" become our chiefs, our nobles, whose names head subscription papers, and who are seen figuring as presidents of banks, and other moneyed corporations, of lyceum and railroad meetings and conventions. The great mass sink to mere machines, doomed to tend on other machines. It is to this miserable result that leads the path we have hitherto pursued, and are now pursuing. We have not yet reached the goal; we have not seen the worst; but are driving on towards the worst with more than Jehu speed. We have in full operation all the causes which necessarily produce the state of degradation implied; and which will produce it, with all its attendant evils, much sooner, perhaps, than even the greatest croakers among us apprehend.*

*We say not that this is the necessary result of popular government, as such; for it is not, save when and where the dominant passion of the people is for the goods of this life. Where the people are truly religious, where they live not for time but for eternity, and are bent on laying up treasures not on earth but in heaven, no such result from popular government would or could follow. But the popular tendency of modern governments has been in nearly all cases the offspring, not of religion, but of the want of it. The new order is the result of the decay of religious faith, of rebellion against the spiritual government Almighty God has instituted, and of a growing devotion to the goods of time and sense. The aim of all our modern popular movements has been to depress the spiritual order and to elevate the material. Men lose sight of the end for which they were intended, cease to have reference in their aspirations and conduct to the things which are invisible and eter-

But this is not all. In all the great industrial nations, so called, or where the new order prevails, and especially with us, the great mass of the people are ill-at-ease. They belong in more senses than one to the "movement party." Rarely do you find one contented with his lot, or satisfied to remain in the social position in which he was born. The absurd notions of equality which have been propagated turn all heads, and make every one feel that he ought to occupy

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nal, and come to place their affections wholly on this world and the things which pertain to it. In no instance have they broken away from the old social order for the sake of heaven; but in all instances for the sake of earth. They have demanded a new and better social order, not as more favorable to obtaining the end for which Almighty God intended them, but as likely to yield more earthly delight and satisfaction. Hence, popular government, or the tendency to popular government, wherever we see it, is an evidence of the worldly-mindedness of the people, of their decaying faith and growing infidelity. Consequently as a matter of fact, wherever we find a popular government, we may regard the fatal results we have pointed out as inevitable, unless arrested by the operation of some cause foreign to that operating in the people and government.

Yet, if the people, or the great majority of them, were truly Christian, if the dominant spirit or passion of the nation were for heaven as our true destiny, and to gain heaven in the way and by the means Almighty God himself has ordained, we see no reason why popular government would not work well, and deserve all the eulogiums it has ever received. Certainly we are not among those who would distrust it. It is only the godless republic we fear; it is only where the people are wedded to this world, where they do not own the Lord, do not believe, do not feel in their souls, that this world is not their home, that we are here only to prepare for another and a better world, that we are to walk here by faith, not by sight, and live by promise and not by fruition, that we doubt the democratic tendency. Democracy with the church would be a good form of government, if not indeed the best of all possible forms; without the church, it is the worst, as our own experience as a people, if we continue as we have been going on, will soon demonstrate to all who have eyes to see or hearts to understand.

If, then, we speak of the fatal results of popular government, it must be understood of popular government not in itself considered, but where the people are not Christian, where they have not the Christian faith living and active, or, as we have said, where the dominant passion of the people, as with us, is for worldly wealth and distinction. The fault is not in the form of the government, but in the spirit of the people. Were the people what they should be, the government would be all we could wish. But no popular government can be wiser and better than the people, rarely so wise and good as the general average. It is not the government that needs changing or reforming, but the people from whom it emanates. If our politicians would bear this in mind, and seek to secure better governmental results by increasing the intelligence and virtue of the people, instead of studying merely to ascertain and conform to the popular will as it is, they would render us some service, and would not deserve the very general reprobation which they now receive from the wise and good.

the first rank. No one is willing to occupy a subordinate station. We are all equal, and, therefore, all would be first. The poor man cannot content himself in his poverty to serve God where he is, and count himself as living well, if living for God. No; he must be another; he must be rich; he must stand as high socially as his neighbour. So he puts off his spiritual duties, neglects the goods he might obtain, and risks every thing in trying to be what he is not, and in striving to win what when won would be worse than useless. No one seems to remember, none seems to believe, that "Blessed are the poor in spirit, for theirs is the kingdom of heaven"; that "Better is the poor man that walketh in simplicity, than a rich man that is perverse in his lips and unwise"; or that "Better is a dry morsel with joy, than a house full of victims with strife." We look with pity and contempt on those who show no ambition to rise in the world. We regard it as a "lower deep" in the degradation of the Austrian or Italian peasant, that he is contented to live and die a peasant. We regard him who neglects an opportunity to rise in the world, to acquire wealth or distinction, as wanting in the proper spirit of a man. Hence, everywhere strife and contention; everywhere rivalry, competition, envy, jealousy, heart-burnings, efforts to rise, pull down, keep down,—at all events, to be ourselves at the top. And what avails all this uneasiness and discontent? What avails all this struggle, uproar, and confusion? Does it make us happier here? Does it help us obtain the end for which our Maker intended us? No, no. What, then, does it all prove, but that we make a false estimate of life,—that we place greatness, whether national or individual, in that in which it is not, and in which it cannot be.

It is sometimes asked, what is to be the fate of this republic? If we continue on as we are, it is easy to foresee what it will be. We shall be what were Tyre, and Sidon, and Carthage, and what they are now. It is written, that "the wicked shall be turned into hell, and all the nations that forget God." And, say what we will, we as a people do forget God. We have, it is true, our meeting-houses, and places where we assemble on Sundays; and we call ourselves by the name of Christ, to take away our reproach. But the exchange is our temple, and mammon is our god. We are an idolatrous people, and pay our devotion to the meanest of all the spirits that "kept not their first estate."

For an idolatrous people there is no good, no hope; because every people that forsaketh the living God shall sooner or later be blotted out. The Lord God hath said it, and it is not for us to reverse his decrees. We must put away our idolatry, return from our groves and "high places" to the temple we have deserted; for there is no good for nations, any more than for individuals, but in loving God and keeping his commandments.

This conclusion, doubtless, is not remarkable for its novelty. It is, we own, but the old story which is constantly repeated by those the world heeds not. But truth is old, not new, and our good rarely comes from novelties. We have followed after new things long enough. We have sought out many inventions; we have followed the suggestions of a lying spirit, and been deceived well-nigh to our ruin. It is now the part of wisdom to retrace our steps, to return to the old things we have left behind, from which we have wandered so long and so far, seeking rest and finding none. Nay, if we want novelty, we may find it in the old paths so long deserted; for to the greater part of us the old is newer than the new.

We mean not, in what we have said, to condemn industry, nor even wealth, in their place, and when pursued with reference solely to God. We believe voluntary poverty, for the sake of God, is highly meritorious; but a man may also be rich without sin, although riches are a temptation and a snare, and he who has them not is more blessed than he who has them. What we have meant to condemn is the worldly spirit, is the tendency to make wealth and luxury, or the goods of this life, ends for which we may live and labor. This is always sin, as it is always folly and madness. We may make our industry and wealth meritorious, by pursuing them for the sake of God, and using what we acquire according to the law of charity. We are to seek first, as the end of our exertions, the kingdom of God and his justice, and all else we need will be added unto us. But all are not required to seek this in the same mode. There are diversities of gifts and callings. Some are called to follow the evangelical counsel to forsake houses and lands, wife and children, for Christ's sake. These do nobly, and have the promise of a hundred-fold in this world, and of eternal life in the world to come. Others are called to serve God as pastors and teachers by ruling the church, feeding the flock, instructing the ignorant, strengthening the weak, reclaim-

ing the erring, comforting the sorrowing, and befriending the friendless; others by exercising authority in the state, watching over the public weal, executing the laws, and maintaining justice between man and man; others, again, by industrial efforts, by the production and exchange of the necessaries and conveniences of life. Each to his calling; and each in his calling may, if he will, serve God, and gain the salvation of his own soul. But whatever the calling, it must be pursued for the sake of God, in the spirit of humble obedience; and whatever the act performed, it must be referred to God, who is our ultimate end, as he is our first beginning.

We have spoken freely, and not flatteringly, of our countrymen; and yet we have not spoken without feeling an American heart beating in our bosom. A great people in the higher and truer sense we are not. That we have in the industrial order achieved much, and that as to our simple material condition we compare favorably with any other people, we are far from questioning. That in education, so far as it tends to prepare us for success in this world, we have done much, we freely admit; and that, as a people, we are by no means deficient in natural acuteness, strength, or activity of mind, or wanting in the ordinary regard for the general welfare of one another, we are far from asserting. Compared with other nations, we have undoubtedly no special cause for national mortification, though less cause for pride and vanity than we commonly imagine. Yet we know no reason why a man should blush before the native of any other country to be called an American. It is not between us and other nations that we have been instituting a comparison. We have compared our nation not with others; but have sought to measure it by the standard of greatness furnished us in our holy religion,—the only standard by which it becomes us to try ourselves. Tried by that standard, we are indeed most shamefully wanting, and should blush and hang our heads.

In saying this, we do not feel that we forfeit the character of a true patriot. We may be wrong, but we have always held that the worst citizen of a republic is he who flatters the people, assures them they are wise and virtuous, can do no wrong, and have the right, irrespective of the laws of God, to do whatever they will. We have never believed that we must consult the will of the people as the rule of our faith or of our practice. We have believed it the

duty of every citizen to do all in his power not to conform to public opinion, but to set it right whenever he has good authority for believing it wrong. We are not to do what will please the people, but to do what we can to influence the people to will what is pleasing to God. Such has been our belief ever since we commenced addressing the public in speech or in writing, and such is our belief now, and probably will be, as long as we live. It is too late for us now to turn courtier or demagogue. If this is a fault in us, there is no lack of aspirants to public favor to atone for it. We love our country. We are resolved to do all we can to sustain her institutions; but we are not of those who have great facility in shouting democracy, and praising the dear people. We see evil tendencies at work; we see the golden, or rather *paper*, age of demagogues advancing, and we tremble for our country. To us the direction things are taking seems likely to prove disastrous. We raise our voice, feeble though it be, and unheeded as we fear it will be, to contribute our mite to stay the advancing tide of ruin. We have raised it with a patriot's love, and with a patriot's grief; but with the Christian's hope. Bad as appearances are, a good God as well as a just God watches over us, and we dare not distrust his mercy. It may be he will have mercy on our nation; that he will yet make ours the chosen land of his abode; that he will in very deed be our God and we shall be his people. We would not see our experiment in behalf of popular freedom fail; we would see it succeed. It will not fail, it will succeed, if we return to God, put our trust in him, and live for the end to which he has appointed us.

POLITICAL CONSTITUTIONS.*

[From Brownson's Quarterly Review for October, 1847.]

Count Joseph de Maistre was among the most distinguished men of his age. He was born at Chamberry, in Savoy, 1753, was a senator of Piedmont at the time of the French invasion in 1792, and resided at St. Petersburg, as the ambassador of the king of Sardinia, from 1804 to 1817, in which last year he returned to Turin, where he died in 1821. Though not a subject of France, he was descended from a French family; was peculiarly French in his genius as well as his language, and his works were all written in reference to French ideas and affairs at the time of their composition. No one among those who labored during the first years of this century to revive and restore French literature, perverted by the philosophers, and nearly destroyed by the revolution, deserves a more honorable mention, or exerted a more salutary influence in exposing the popular fallacies of the day, and in recalling men's minds to deeper and sounder religious and political doctrines.

As a theologian, some may think that he placed too much reliance on the analogies his profound and varied erudition supplied him with between the principles of our holy religion and those which were acknowledged in the old heathen world, that he was more fond than is prudent in these times of citing pagan authorities for his doctrines, and that he gave an almost unorthodox application to the dictum of St. Vincent of Lérins, *quod semper, quod ubique, et ab omnibus;* but it cannot be denied that his works were peculiarly adapted to the temper of the times in which they were written, and admirably fitted to excite and engage the attention of a lively people grown weary indeed of infidelity, anarchy, and military despotism, but not yet recovered from the habits of incredulity and impiety, of sneering at the priest and the altar, and of regarding Christianity as old and effete; or that, if they contain some things local and temporary in their interest, they still contain much that

* *Essay on the Generative Principle of Political Constitutions.* Translated from the French of M. le comte Joseph de Maistre. Boston: 1847.

is universal and permanent, which may be profitably studied in every age and country. No one acquainted with them can hesitate to regard them as peculiarly appropriate to our own country, and worthy the serious attention of our people, whether Catholic or Protestant.

The analogies between the principles of our holy religion and those of the ancient world, on which Count de Maistre lays great stress in all his works, are undeniable; but if we adduce them without taking great care to mark their precise nature, and the precise purpose for which we adduce them, we are in danger of giving occasion to an argument unfavorable to Christianity. German neologists and their American followers, it is well known, appeal to these analogies, and attempt from them to construct an argument against Christianity as a positive revealed religion, or against the special divine inspiration of the Holy Scriptures, and in favor of their pernicious error, that inspiration, so far as it is to to be admitted at all, is a universal phenomenon, not peculiar, unless it be in degree, to certain individuals, but common to all men in all countries and ages of the world,—that God speaks objectively to no one, but reveals subjectively, in their spiritual nature, reason, conscience, sentiment, the same great truths to all. Hence they conclude that all religion is *natural*, if we consider the fact that it is common to all men, and resulting spontaneously from universal humanity,—or *supernatural*, if we consider the fact that our nature lives and operates only in God, and through the creative and upholding power and wisdom of God, who is himself above nature. All religions, say they, are therefore at bottom one and the same, natural or supernatural according to the point of view from which we choose to consider them; and they differ as concrete religions only according to, and in consequence of, the differing degrees of mental and moral culture of mankind in different ages, countries, and individuals. To get at the perfect form of religion, we must eliminate whatever is local, temporary, peculiar to this or that individual, to this or that age or country and seize upon that which has been held always, everywhere, and by all. What we thus obtain, the residuum which remains after this analysis, will be absolute religion; that is to say, all religions in general, and no religion in particular, like man without men, the race without individuals!

No man was ever further from adopting this gross

absurdity, or of countenancing this religious nihilism, than Count de Maistre; but we sometimes feel, while reading his learned and brilliant pages, that he has not been always careful to guard against it, and that he says many things which could, without much difficulty, be construed in its favor. He does not appear to us to state clearly always the precise purposes for which he adduces these analogies, or the precise grounds on which he ascribes to them the value he evidently supposes them to possess. In a word, he does not appear to have marked with precision the place which belongs to the *consensus hominum*, and seems at times to hold it to be the ground of certainty, and to favor the notion that the church is authoritative for the reason that she is the organ through which the universal consent of the race expresses itself, and therefore to favor the heresy taught a short time after by La Mennais. Yet it is only in appearance; for in his thought, though not always sufficiently guarded in his expression, we are sure he was sound and orthodox.

If we appeal to these analogies to show what has always been the reason or belief of mankind, and, from the fact that mankind has always assented to principles identical with the principles of Christianity, or analogous to them, conclude the truth of Christianity as a divinely revealed religion, we fall into the error of La Mennais, condemned as heretical; because we then make the *consensus hominum* the ground of certainty, the authority for believing, instead of the veracity of God, as required by faith. But, if we adduce them as authorities, not for faith, but for what is and always has been the practical reason or common sense of mankind, and therefore as proofs that the principles of our holy religion are not unreasonable, but reasonable, our method is perfectly legitimate, and perhaps the very best that can be adopted against the unbeliever. It is only in this latter sense, we are confident, that Count de Maistre, in reality, appeals to the *consensus hominum* and adduces the analogies in question.

The unbeliever, born and bred in Christian lands, professes to meet the Christian on the ground of reason, and from reason alone to disprove the Christian religion; that is, he objects that Christianity is contrary to reason. But in order to sustain his objection, he must prove that Christianity is contradicted, either by the pure or demonstrative reason, or by the practical or moral reason; that is, either by reason as the principle of metaphysical certainty, or by

reason as the principle of moral certainty. The first is out of the question; for reason in the former sense,—the speculative reason of Kant,—as Kant himself has shown in his *Critik der reinen Vernunft*, cannot affirm or deny any thing on the subject. Moreover, it has been proved, over and over again, that there is nothing in Christianity which contradicts any principle of speculative reason; and all the chiefs of the modern infidel school, Bayle, Voltaire, D'Alembert, Hume, and Thomas Paine, concede that it is impossible to prove any thing, metaphysically, against Christianity. "They themselves," says Benjamin Constant, an authority on this point, not liable to be suspected, "acknowledge that reasoning can authorize only doubt." * They can only say they do not believe it, or that there is no sufficient reason for believing it; but no one of them ventures to say that it must necessarily be false, or that, after all, it may not be true. So far as regards the speculative reason, it is certain, that, if reason cannot, as we concede it cannot, pronounce a judgment in favor of our religion, it cannot pronounce a judgment against it. It can and must concede its metaphysical possibility, and this is as far as it can go, either one way or the other.

The unbeliever, then, must leave the speculative reason, and show that our religion is condemned by the practical reason, or withdraw his objection. But the criterion of the practical reason is the *consensus hominum*. In speculative reason the individual needs not go out of himself, for the speculative reason *in se* is as perfect in one as it is in all men; and when I have demonstrated that the three angles of the triangle are equal to two right angles, I have no need of the assent of the race, and their assent can add nothing to the demonstration, or to the certainty of the fact. But in regard to the practical reason it is not so, for this may be warped or perverted by individual idiosyncrasies, ignorance, education, position, passions, prejudices. Here the individual reason must be rectified or verified by the reason of the race, and that only is the reason of the race which is held always, everywhere, and by all. Hence we say the *consensus hominum* is the criterion of the practical reason, and the authority on which this or that is to be taken,—not as divine revelation, for that is the error to be avoided, but as practical reason; for certainly that is not unreason-

* *De la Religion*, Tom. I. p. 7.

able, contrary to the practical reason, which the race universally assents to, but must be in accordance with it, and demanded by it; or else the race would not and could not have universally assented to it. The *consensus hominum* is not the ground for believing this or that to be revealed, but simply for believing it approved by the practical reason; and if it is approved by the practical reason, we believe it on the authority of that reason,—not *fide divina*, indeed, but *fide humana*,—and must do so, or prove ourselves unreasonable, be ourselves condemned by reason.

Now if the unbeliever fails, as he does, to show that there is something essential to the Christian religion repugned by the practical reason, he fails entirely to sustain his objection. He boasts of common sense, but common sense is only another name for what we call the practical reason. He says our religion contradicts common sense. But his assertion is worth nothing, unless he proves it by showing the contradiction; which he never does and never can do. But if, on the other hand, we prove to him that every one of the principles of our religion has the authority of common sense, or that in believing our religion we assent to nothing not assented to in principle always and everywhere by the race, we prove that our religion in principle is reasonable, that the unbeliever cannot object that it is unreasonable, and that he, if he denies its principles, is himself unreasonable, obnoxious to the precise objection which he brings against us.

This last is what Count de Maistre has done. He proves, by admirable philosophical analysis and rare erudition, that there is in our holy religion no principle which the race has not always and everywhere assented to, and therefore, that, in refusing to believe it, in rejecting its principles, we are rejecting not merely the word of God as handed down to us by the church, but also the practical reason or common sense of mankind, and by doing so place ourselves in direct hostility to the reason we boast, and whose authority we acknowledge. He thus turns the tables upon the loud-boasting and conceited infidel, and shows him that it is he, not the Christian, who must humble himself before reason, and beg pardon for the outrages he offers her. The unbeliever, in fact, builds never on reason, but aways on unreason. Reason disowns him, scorns him, nay, holds him, intellectually considered, in perfect derision. Poor thing! she says, he has lost his wits; send him to the lunatic asylum.

Having established, as Count de Maistre has done, that all the principles of our religion have the *consensus hominum*, we have established that they are approved by reason. We must now assume that they are principles inherent in reason itself, immediately ascertainable by reason, or that they have been derived from some other source. If we say either of the former, they are authoritative for reason, and reason must assent to them on the peril of ceasing to be reason. If we say they are not inherent in reason, nor immediately ascertainable by reason, we must attribute them—since the practical reason by approving pronounces them pure, sacred, good—to some source above reason, that is, the supernatural, and therefore either immediately or mediately to God himself. Then they are unquestionably true, and we must believe them, or again prove ourselves unreasonable; for nothing is more reasonable than to believe God, and therefore what he reveals. So, on either supposition, we must assent to them or deny reason itself. Consequently, the analogies alleged against us by the enemies of our religion fully establish the reasonableness of Christianity in principle, and that reason must assent to it in principle or abdicate itself.

Yet we pretend not that by these analogies and pagan authorities we prove the absolute truth of Christianity as a positive revealed religion. We simply remove all objections *a priori* which can be conceived against it, and establish the reasonableness, the truth, for the practical reason, of its principles; but we leave the fact of Christianity as a supernaturally revealed religion to be proved or not proved by the testimony in the case. The argument thus far shows the possible truth of the religion, the actual truth for the reason of its principles, and places it as a positive religion in the category of facts which may be proved by testimony. If the actual testimony appropriate in the case be equal to what satisfies the reason in the case of ordinary historical facts, to what is sufficient in the ordinary affairs of life to render assent prudent, it is proved as a positive revealed religion to the full extent that reason does or can demand; and he who does not assent and act accordingly abdicates his title to be considered a reasonable being. The appropriate testimony in the case is unquestionably equal to this,—is all that reason, unless it ceases to be reason, requires or can require. Whoever, then, withholds his assent from the Christian religion, unless through sheer ignorance, denies

reason. True, the assent thus yielded or warranted is only the assent of reason, and by no means the assent of faith, in the proper Christian sense; something more is undoubtedly demanded for faith; but that, whatever it be, is to be sought, not from reason, but from divine grace, which is freely given to all who do not voluntarily resist it.

The count's method of argument, properly understood, is therefore triumphant against the unbeliever, as the neologists themselves have proved over and over again. The objection of the neologist which we have stated is met,—1, by the fact that the analogies adduced extend to the principles, not to the positive doctrines, of Christianity; and consequently, before the neologists can be entitled to their conclusion, they must rebut the positive testimony in favor of Christianity as a supernaturally revealed religion, and also prove that the principles without the doctrines are sufficient, neither of which they do or can do; and, 2, by the fact that the principles in question, between which and Christianity there is the relation of analogy or identity, are not themselves originally derived from simple natural reason, or from an interior subjective revelation made immediately to each man in particular, but from the primitive revelation made to our first parents, and preserved and diffused by tradition. We, as well as they, find Christian elements in the old heathen poets and philosophers; and perhaps in general the heathen world, under each of its various religions, retained more of Christian principles—we say not of Christian doctrine—that is retained by our modern sects. Under veils and symbols more or less transparent, we find not seldom, not only Christian principles, but a very near approach to some one or more of the Christian mysteries themselves. Indeed, the type after which all religions have been fashioned is evidently the Christian religion, and there is scarcely a single Christian *idea*, if we may use the term, which is not to be found out of the Christian church. This, however, presents no difficulty to the Christian;—not, indeed, because he supposes all has been derived from the Holy Scriptures and intercourse with the Jews, as some have thought,—though more may have been derived from this source than many in our days are willing to acknowledge, but because it was contained in the primitive revelation to our first parents, and formed the common patrimony of the race. What we thus find is revealed truth, truth pertaining to the Christian revelation, pure in its source, but in the

lapse of time corrupted and mixed up with fables by the nations, as they multiplied and spread themselves over the face of the earth. The fountain was pure and supernatural, but the streams which flowed from it became gradually corrupt by receiving waters flowing from other fountains. Thus, what we find in consonance with our religion as supernatural we attribute to the primitive revelation preserved by tradition; what we find repugnant to it we attribute to men speaking from themselves, their own darkened understandings and corrupt hearts.

The Christian revelation is not, strictly speaking, a new revelation; Judaism as such, though a divine institution for a special purpose, was not a dogmatic revelation, and contained no revealed truths not contained in the revelation. The primitive revelation contained in substance the whole Christian revelation, and the only difference between the faith of the fathers from the beginning, before Christ, and that of the fathers since, is, that those before believed in a Christ to come, and those since believe in a Christ that has come, and that in many things our faith is clearer and more explicit than was theirs. From the beginning till now, the revelation believed has been ever one and the same revelation, the faith has always been one and the same faith. Our Lord and his apostles introduced no new religion, no new faith, made no new revelation, except to clear up and render more explicit what had been revealed and believed by the faithful from the first. It is not the true view to look upon our Lord as coming into the world to found a new religion, or to reveal even new dogmas, as do many of our modern sects. He came to make the atonement, to perform the work of redemption, to open the door for the admission of the just into heaven, and to establish a new order, the order of grace in place of the law, that we might have life, and have it more abundantly.

Due consideration of this fact would correct the errors of our liberal Christians, and enable them to get over some of the difficulties they now find, or imagine they find. They read the New Testament, and find in it no creed formally drawn out, and therefore conclude that none is enjoined or necessary. They find some one asking what he shall do to be saved, and an apostle in his answer requiring him simply to believe in the Lord Jesus Christ, and therefore they conclude only the simple belief in Jesus as the Messiah, whether as God, as a superangelic being, or as man only, it matters

not, is all the faith the Gospel requires. But they forget that they to whom the apostle so answers are supposed to be already instructed in the faith, and to lack nothing of the true Christian faith, but to believe that the Christ that was to come has come, and is this same Jesus whom they crucified, and whom God has raised from the dead. The simple article enjoined was all the addition or modification their previous faith required. But to conclude from this that nothing more was required at all is very bad logic.

This fact attended to furnishes us one of the reasons why the faith is always assumed or presupposed in the Holy Scriptures, instead of being distinctly and formally taught. The sacred writers always address themselves to believers, to persons supposed to have already received the faith, and therefore not in need of being formally and systematically taught the whole creed. They write, not to propose the creed, but simply, under the relation of faith, to correct the errors of believers, or to enlighten them on some particular points of doctrine. Nothing is more illogical than to conclude, from the absence of all distinct and formal statement from their pages of the several articles of the creed, that no formal creed was proposed, believed, or required.

The recognition of the primitive revelation is necessary, also, to account for the sublime truths we often meet with in ancient pagan writers, oriental and occidental, in juxtaposition with mere puerilities, gross absurdities, and abominations. Any one who has read Plato will understand what we mean. There are passages in this writer hardly unworthy of a Christian father, which are admirable for the truth and sublimity of the thought, for their lofty religious conception and pure morality; and there are others childishly weak, obviously absurd, and grossly impure, as, for instance, some passages in the *Banquet*, the *Timæus*, and the *Republic*. Take Socrates himself. What more noble than his speech on his trial? He speaks of God, of virtue, and immortality with his disciples, while awaiting his execution, almost as a Christian, and more worthily than many who call themselves Christians do or can speak; and yet, just before his death, he can order a cock to be sacrificed to Æsculapius. Through nearly all heathen antiquity we find similar phenomena constantly recurring. How explain them? The mind capable of producing from its own resources the true, the pure, the sublime and beautiful thoughts and sentiments we find, could never have produced or tolerated those of a totally

different character, invariably mixed up with them. The only possible explanation is, that in the former they spoke from tradition, from the sublime wisdom of the ancients, derived from a primitive revelation, as they themselves always acknowledge; just as the only explanation of what we find agreeable to the purity, truth, and sublimity of the Gospel in the writings and discourses of modern heretics is that it is derived not from their heresy or their own minds, but retained from the Gospel itself, is the reminiscence of the true faith, not yet wholly lost in the crude mass of their own errors and speculations.

But we have suffered ourselves to be carried too far away by a topic only incidental to our present purpose. While acknowledging the danger to which Count de Maistre's method of reasoning for religion against an unbelieving and scoffing age is exposed, when not duly guarded, we have wished, in passing, to show that it is substantially sound, and may be used with great propriety and effect. The influence his writings have exerted on France are a proof of it. When he first appeared, religion was out of fashion, and her voice failed to arrest the attention of the reading public. It required no ordinary degree of moral courage at that time to avow one's self a Christian, a firm believer in the church of God, and ready to do battle for the faith. For more than half a century the whole literary taste had been perverted; the philosophers and their followers, Voltaire and his school, reigned supreme in the world of letters, in the public acts, and the saloons of fashion. But Count de Maistre did not hesitate to raise his voice, and, seconded by La Mennais, not yet fallen, and by the restoration and its friends, he succeeded, by the grace of God, in bringing up religion once more to men's thoughts and affections, and showing to faith and purity—what is never to be doubted—that they have no cause to blush before the pretended worshippers of reason, even in the temple of reason herself. France is no longer what she was. The French works best known and most generally read by the people of this country are the groans, writhings, and contortions of a party in its agony. They proceed not from the mind or the heart of the real, living, progressive France of to-day. Sansculottism in religion, morals, or politics is not at present precisely a Parisian mode, and it is no longer incompatible with good taste and admission into good society to cover one's nakedness with the robe of justice and piety.

Of the several works of Count de Maistre, there is no one which, at the present moment, could be circulated or read with more advantage amongst us, than the one now before us, or better fitted to the actual wants of our politicians, whether Catholics or Protestants; for, unhappily, a very considerable portion of our Catholic population are as unsound in their politics as their Protestant neighbours. Both classes, with individual exceptions, have borrowed their political notions from the school of Hobbes, Locke, Jean Jacques Rousseau, and Thomas Paine, and forget, or have a strong tendency to forget, that divine Providence has something to do with forming, preserving, amending, or overthrowing the constitutions of states. We say nothing new, when we say that modern politics are in principle, and generally in practice, purely atheistic. Even large numbers, who in religion are sound orthodox believers, and would suffer a thousand deaths sooner than knowingly swerve one iota from the faith, may be found, who do not hesitate to vote God out of the political constitution, and to advocate liberty on principles which logically put man in the place of God. It is to such as these the little work before us is addressed, and they cannot study it without perceiving the capital mistake they have made—not in seeking political freedom, but in seeking to base it on atheistical principles. The man who advocates political liberty on Protestant principles can stop short of atheism only at the expense of his logic.

Count de Maistre is no doubt a stanch monarchist, and holds hereditary monarchy, tempered by a due admixture of aristocracy and democracy, to be the best of all possible forms of government; but it is not for this we commend him, for this is by no means a necessary conclusion from the great generative principle of political constitutions he insists upon. The principle we may accept without any disposition to be monarchists, for it is as true and as applicable in the case of a republican constitution as in that of a monarchical constitution. Where the existing legitimate order is monarchical, it undoubtedly requires us to support monarchy, and forbids us to seek to substitute another order in its place; but, for the same reason, where the existing legitimate order is the republican, it requires us to support republicanism, and forbids us to seek to introduce monarchy. In this country the existing legal order is republican, and the principle De Maistre insists upon commands us, whatever

may or may not be our private convictions as to the best form of government *in se*, to support it, and to resist with our lives every attempt to subvert it. It may or may not be, we may or we may not believe it, the best of all possible forms of government in the abstract; but that has nothing to do with the question. It is the form which God in his providence has established here, and therefore it is the best for *us;* it is the law, and therefore we must obey it, and cannot resist it without resisting God, from whom is all power, by whom kings reign and legislators decree just things.

There are two grounds on which we may seek support for our republican institutions;—the one, opinion; the other, conscience;—that is, either because we believe them the best *in se*, or because they are the law. Our modern politicians, who uniformly mistake falsehood for truth, and substitute the feebler for the stronger, the worse for the better reason, as a matter of course place all their reliance on the former, and regard those who prefer the latter as the enemies of our free institutions. But nothing is more fluctuating, precarious, or uncertain than opinion. The multitude may be of one opinion to-day, and of another to-morrow. To-day they may hurrah for democracy; to-morrow they may throw up their caps for some military hero, and cry, Long live the king! To rely on mere opinion is to lean on a broken reed. The opinion may change, and the moment it does, we have no reason, if it has been our reliance, to urge for sustaining the present order, or why the people should not subvert it, and substitute some other order; and we may be sure the opinion will change, whenever the present order proves, or attempts to prove, itself a government by restraining popular passion and caprice, or any thing more than a by-law of a voluntary association; for—

> 'No rogue e'er felt the halter draw
> With good opinion of the law."

But if we place their support on the ground that they are the legal order, the law, we make our appeal, not to opinion, but to conscience. Conscience uniformly and invariably commands us to obey the law, but does not command us always to obey opinion. Opinions may vary as to what is the law; but when this or that is decided to be law, conscience, which is not opinion, without any variation or the least hesitation, commands us to submit to it, and all who regard at all the voice of conscience do so. When we

place the obligation to support our institutions on the notion we may have that they are the best, we give them only an intellectual basis, and can enlist only the intellect in their behalf; but when we demand obedience to them on the ground that they are the law, we base them on morality, and place them under the protection of religion. We demand then obedience as a *duty*, not merely as a sound judgment, and make loyalty not merely a sentiment, but a virtue. It was only the folly or delusion of the last century that could, for a moment, have hesitated between conscience and opinion, or even pretended to doubt which is the more reasonable and solid basis of government.

We suspect, however, that our politicians will continue to prefer opinion to conscience; for it is not the preservation of our institutions, but the facility of changing them, that they wish to secure. It is not government they want, but the liberty to make the government any thing they please; or if they ask for government, it is not that it may govern them, but that they may govern it. They want, not a fixed and permanent order, but a loose and flexible order, yielding without the least resistance, to their passions, caprices, or supposed interests. They regard, and for this reason will continue to regard, all those who would make our institutions sacred, place them under the protection of religion and morals, and support them on the ground that they are the law, and that the law must be obeyed, as the enemies of the people, and to be denounced as anti-republican and anti-American. They are willing to appeal to opinion and sentiment, but they cannot endure that we should appeal to religion and morals, to conscience, or the sense of duty. For on the former ground there is liberty to change, modify, subvert, at will; but on the latter there is a strict obligation to preserve the institutions as they are, and to resist unto death every one who would seek to subvert them. It is not monarchy or aristocracy against which the modern spirit fights, but against *loyalty;* what it hates is not this or that form of government, but *legitimacy*, and it would rebel against democracy as quick as against absolute monarchy, if democracy were asserted on the ground of legitimacy.

The modern spirit is in every thing the direct denial of the practical reason. It reverses every thing which has received the sanction of the race. In former times it was universally held that authority was a good, indeed a necessity, and in all things men sought for an authority, some-

thing which could and had the right to command. They inquired always for the law, and law was always held to be imperative. Religion was the highest law, and authoritative, and no individual or nation had a right to dispute its dominion; morals were binding, were the law imposed by religion; politics were referred to the sovereign authority, to the majesty of the prince, or the state. The greatest evil conceivable was supposed to be that of being without law, without religious, moral, and political authority having the right to exact and the ability to secure submission. Man's glory, according to the ancient spirit, was in obedience to law. But the modern spirit reverses all this. It seeks not the authority which men are bound to obey, and to induce them to obey it, but it claims for man himself the authority in all things to make the law. It asserts the universal and absolute supremacy of man, and his unrestricted right to subject religion, morals, and politics to his own will, passion, or caprice. There is no denying this. Its direct aim and tendency is to place the subject over the sovereign, and to give to the subject in religion, morals, or politics the right to put a rope round his sovereign's neck, as the Chinese sometimes do around the neck of their idol, and drag him from his throne, and through the streets, and apply the bamboo whenever he chances not to conform himself to their will and pleasure. It calls government government, because it is *not* government; morals morals, because they are *not* morals, that is, not obligatory on the will; religion religion, because it is *not* religion, that is, does *not* bind man to God; law law, because it is *not* law; and reason reason, because it is *not* reason. Marvellous is the age we live in! Marvellous the light and progress of the modern world! We have extinguished the light of reason, and therefore are reasonable; reduced wisdom to folly, and therefore are wise; substituted nonsense for sense, and therefore are intelligent, and have the right to call all who went before us fools and madmen, which assuredly they were,—unless we are.

The political mania of the last century, and a mania not yet much abated, was that a political constitution may be written and clapped into one's pocket. Men not in a lunatic hospital, men who were regarded by their contemporaries as great men, learned men, profound philosophers and statesmen, in open day, in elaborate treatises, in grave deliberative assemblies, actually contended that the political constitution is a thing which may be made as one makes a hand-

cart or a wheelbarrow, or drawn up beforehand as one draws up a note of hand; and, what is stranger still, they were believed, and whole nations thrilled at the wonderful discovery, and, leaving all other business, engaged heart and soul, might and main, in the manufacture and sale of constitutions. We ourselves opened a shop for the business, or pretended to do so; but France opened an establishment on a much larger scale, and carried on the business to an extent which differed only a step from the sublime. The facility and rapidity with which the lively French, for a series of years, turned out ready-made constitutions, for home consumption and exportation, can be compared to nothing better than to the facility with which a Connecticut Yankee turns out wooden clocks, wooden bowls, wooden nutmegs, cut-nails, clothes-pins, or locofoco matches. The delusion was all but universal for a time, and can be accounted for not without attributing it in part to demoniacal agency. Men not drawn down below the rank of their own nature, not made worse than human in their passions, and less than human in their reason and understanding, could never have been so wildly and madly carried away.

In the work before us, Count de Maistre attacks with all his erudition, philosophy, experience, and wit, this terrible delusion—a delusion which even Carlyle has mercilessly ridiculed, and against which, our readers will bear us witness, we ourselves have argued and declaimed with all our might, ever since we began to address the public on political subjects. De Maistre shows, beyond the possibility of doubt or cavil, that the political constitution of a state is not and cannot be made; that whatever it is, whatever its form, if it be a constitution at all, it is generated, not made; that it grows up by divine Providence, and is never framed beforehand, drawn up deliberately, and put into operation by those who live or are to live under it. It is never the work of deliberation, but always the work of divine Providence, using men and circumstances as his instruments. It is always immediately or mediately—mediately in all cases, perhaps, except one—imposed by God himself, is the expression of the divine will, and therefore legitimate, sacred, and suited to the nation. This is the leading principle of the essay before us. The generative principle of all political constitutions which are such is divine Providence, never the deliberate wisdom or will of men.

This doctrine is unquestionably conservative; for it makes

the constitution sacred. It is monarchical, where monarchy is the constitution of the state; it is also republican, where, as with us, the constitution is republican. It would forbid the subjects of a monarchy to throw off monarchy and attempt to create a republic; it would also forbid the citizens of a republic to throw off republicanism and attempt to found a monarchy. If we are destructives or revolutionists on principle, and are resolved to be always able to govern the government when we please and as we please, this doctrine must offend us, and we cannot but resist it; but if we are attached to our institutions, hold our constitution to be law, not a mere regulation, and wish to preserve it, this is the very doctrine we need, and must heartily embrace. For our own part, we hold the republican constitution of this country to be the legitimate order, and ourselves bound in conscience to submit to it, whether we believe it the best possible form of government for every people on earth or not. IT IS THE BEST POSSIBLE FORM FOR US. We wish to preserve it intact, in all its life and vigor, and therefore we wish to see the doctrine in question embraced and cherished by every American citizen.

But when we speak of the American constitution, our readers must not imagine that we mean the written instrument usually denominated the constitution. The written constitution may sometimes be a memorandum of the real constitution, but is never that constitution itself; and it is always a mere cobweb, save so far as it is also written on the hearts, and in the habits, the manners and customs of the people, as our own daily experience abundantly proves. The constitution is the living soul of the nation, that by virtue of which it is a nation, and is able to live a national life, and perform national functions. You can no more write it out on parchment, and put it into your pocket, than you can the soul of man. It is no dead letter, which when interrogated is silent, and when attacked is impotent; it is a living spirit, a living power, a living providence, and resides wherever the nation is, and expresses itself in every national act. Written constitutions are never resorted to, when the real constitution is in full vitality and vigor, and the state performs freely its normal functions; and the most beautiful period in the history of every nation is the period prior to the attempt to reduce its constitution and laws to writing. The written instrument is invariably a proof that the constitution has suffered violence, has been enfeebled, and its

existence endangered. It is resorted to as a means of preservation, in the hope that by writing it the constitution may be strengthened, and further encroachment prevented. But when it is in its full vigor, and has suffered no violence, men no more think of writing it, than the housewife thinks each morning of reducing to writing her arrangements for her household during the day.

The people of this country have not made, and could not make, our political constitution. It was imposed by a competent authority, and has grown to be what it is, through the providence of God. The people have never had the control of it. It was not their foresight, wisdom, convictions, or will, that made it republican. The constitution was republican from the first, and we established no monarchy or nobility at the close of the war of independence, for the simple reason that neither was in our constitution. The royalty and nobility we knew prior to independence were English, not American. Mr. Bancroft has well remarked, in his history of the colonization of the United States, that royalty and nobility did not emigrate. Since they did not emigrate, they remained at home, and were not here; not being here, they were not in our political constitution. The commons alone emigrated, and consequently our constitution recognized only commons. When, therefore, the foreign authority was thrown off, and we were left to our own constitution, we had only the government of the commons, that is to say, the representative democracy, or the elective aristocracy, if we may use the term, which we brought here from the mother country. Our government is simply the British house of commons, without the king and house of lords, divided for the sake of convenience into an upper and lower chamber, and with such few changes and modifications as were necessary to provide for an executive authority. The constitution was determined for us by the providence of God, which so ordered it that only the commons emigrated, and so created and arranged circumstances as to compel us from sheer necessity to live under a government from which royalty and nobility are excluded.

Count de Maistre not only contends that the constitution is never made, or drawn up by the people with deliberation and forethought, that it is always the work of Providence using men and circumstances to effect or express his will, but that it never can be essentially changed by the people or the nation, deliberately or otherwise, without the destruc-

tion of the nation itself. If God determines and fixes the political constitution of a people, it follows that the constitution exists by the divine will and authority; to seek to subvert or essentially change it is, then, to war against God, and we need not labor to prove that no individual or nation can ever rebel against God with success or impunity. Nations and individuals who conspire against God, and seek to make their will prevail instead of his, are sure to be destroyed. They separate themselves from the source of life, from the fountain of strength, and can but wither and die, as the branch severed from the vine.

This conclusion, which we know by infallible faith to be true, is, moreover, verified by all history. Our wise politicians seek a thousand reasons to explain the different results which national independence has produced here, from those which it has produced in Spanish America. There can be no question that in every one of the Spanish American states republicanism has proved a complete failure; yet with us it is thought to have succeeded. Whence the difference? It is idle to look for the cause in the superiority of the Anglo-Saxon over the Spanish race, for this superiority is perfectly imaginary; and the Spanish American colonies, as colonies, were in real prosperity and genuine civilization in advance of the Anglo-American. The difference of religion, too, has been immensely in favor of Spanish America, because, while Protestantism tends to render men disorderly, insubordinate, impatient of restraint, and indifferent to the sacred obligations of law, Catholicity generates habits of order, subordination, and reverence for law. Yet the attempt to establish republicanism in Spanish America has resulted very nearly in the dissolution of all society. The cause of the difference is in the fact that republicanism with us was from the first the constitution, but was never the constitution of the Spanish American colonies. In them royalty and nobility settled; and the whole constitution of the mother country, not merely that of the commons, was transferred to the New World. Royalty and nobility were integral elements in their constitution from the outset. We in declaring independence made no revolution in the government; we only threw off what was foreign, while we retained all that was indigenous, and the removal of the foreign or English authority only enabled the indigenous to manifest and exert itself in open day, in full and unimpeded life and vigor. But in Spanish America independence was

not merely throwing off the foreign element, the authority of the mother country, but was a revolution, a subversion of the existing constitution, and the attempt to establish a new and a totally different political order. The cause of the failure is precisely in this attempt to change essentially the political constitution. If Spanish America had simply declared herself independent of Old Spain, but retained intact her domestic constitution, there can be no reason to doubt that her prosperity would, at least, have kept pace with ours. Portuguese America, Brazil, has succeeded the best, after us, of all the American states, for she did not essentially change her original constitution.

We can easily suppose what would have been our success, if we had attempted to introduce and establish monarchy and nobility. There were among us distinguished men—the most distinguished, perhaps, and firm patriots,too--who had no confidence in republicanism, and were pretty well persuaded that a government without king and nobles must prove a failure. But we had no royalty and nobility. Neither was here, and neither could be introduced without a social revolution. Suppose we had attempted to introduce them, to constitute the three estates, and retain the whole constitution of the mother country ; who can doubt that the result would have been similar to what has been in Spanish America the attempt to introduce republicanism? Neither being in the constitution, both would have been resisted by the whole force of American society, and could have triumphed only by overcoming that force, and destroying the whole existing social order, that is, the state itself.

France sought to change from a monarchy to a republic. She was great, powerful, intellectual, and enthusiastic. Never could the attempt have been made under more favorable auspices. She was aided, or not impeded, in the outset, by the very orders in the state which had the greatest privileges to lose ; the surrounding nations, the whole world sympathized with her, and applauded her movement; and yet her failure was striking, and no man can doubt, if he has ordinary judgment, that, if she had not returned to her old constitution, or in part returned, she would ere this have been blotted out from the chart of Europe as an independent nation. Her present uneasiness, her present unsettled and ominous state, and all the difficulties she has to encounter grow out of her return having been partial, instead of complete. The most glorious period of French history

since the reign of Louis XIV., perhaps since St. Louis, is that of Charles X.,—a man and a prince to whom history is not likely to do justice. The Bourbons committed great faults, and they deserved, and drew down upon their guilty heads the vengeance of Almighty God; but if the family had, before the breaking out of the revolution, or in its first stages, listened to the Count d'Artois, or if France had been wise enough to understand his character and appreciate the firmness of his principles when he became Charles X., she would now have been in the possession of her ancient constitution and of all her ancient glory. There would have been no "glorious three days," no *programme de l'Hôtel de Ville*, no such anomaly as a "citizen king,"—a king by virtue of the *Bourse*, it is true, but only so much the better. The same impossibility of changing the constitution without destroying social order we see in the recent history of Spain and Portugal. Each of these kingdoms, Spain especially, played at no distant date a distinguished part among the kingdoms of Europe; but both are now fallen so low that there are few so poor as to do them reverence. It is not difficult to trace their present degradation, we say not to efforts at social amelioration, but to efforts to ameliorate their social condition by organic changes, or fundamental changes in the political constitution of the state, that is, to revolutionism, and they must return substantially to their old national constitutions, lapse into anarchy and barbarism, or be absorbed by their more powerful neighbours.

We have found in our historical reading no instance of a fundamental change of the national constitution that was successful. Never does a republic become a monarchy, or a monarchy a republic, without the virtual destruction of the state. Athens was originally monarchical, tempered, we suspect, by both aristocracy and democracy. The democratic element finally gained the mastery; but it retained the ascendency for only one hundred and four years. Solon himself saw the Pisistratidæ, and the whole period was one of political turmoil, of change, and usurpation, and the government was almost always in the hands of a single chief, who ruled, with or without law, during his ascendency, very much as he pleased. The smaller Grecian cities, which adopted the republican order with scarcely an exception, in brief space, fell under the rule of tyrants or usurpers. We make no account of Rome, because her constitution was originally patrician, a modification of the patriarchal, and

the royal authority acted not really on the people, but simply on the patrician, or head of the *gens*. The abolition of the royal and the substitution of the consular authority were no fundamental change in the constitution ; nor was the establishment, at a later period, of the tribunitial veto ; for the positive power of the state continued where it had been placed by Romulus, in the patrician body. The change to the imperial government was perhaps more fundamental, and makes decidedly for the doctrine we maintain ; for just in proportion as the constitution was changed under the emperors, and they usurped the functions of the senate, Rome declined, and continued to decline, till it was no more.

In fact, if we may credit at all the lessons of history, the change of the original constitution of a state, if fundamental and permanent, is always and inevitably the destruction of the state itself. It is as easy to extract the soul from the body, and give to the body another soul, without causing death, as to take from a state its original constitution and give it a new one, and still retain the life of the nation. If the original constitution has died out, the nation is dead, and you can no more give it a new constitution and restore it to life, than you can give to a dead body a new soul, and render it once more a living body. The new constitution must come in with a new people, which subjects and takes the place of the old, as is clearly evinced in the case of the downfall of the old Roman empire, and the rise of the modern states of Europe. Even religion herself cannot prevent it ; she may delay the catastrophe, but she has no power to avert it. Constantine, Theodosius, Justinian, cannot prevent the doom of Rome, old or new. The northern barbarian executes it upon the one, the Turk upon the other. The vast populations of Asia have no indigenous power to rise from their degradation, and they will be restored never, unless conquered and subjected by a people already living, already in possession of a constitution in its life and vigor, because their old political constitutions are effete, and they now subsist as populations rather than as states.

God, by giving in his providence a particular constitution to a particular people, has fixed its law, the law of its life, its prosperity, and its duration. No people survives its constitution. The overthrow of our republican constitution would be our political death. Spanish America, if it does not reëstablish its original monarchical and aristocratic

order, must either lapse into complete barbarism, or be absorbed by us. The Canadas have foolishly attempted once, perhaps may attempt again, independence of the mother country, in view of establishing the republican *régime;* they have thus far failed, for they have royalty and nobility in their constitution. If Lower Canada had not had, she would, in what we call our revolution, have made common cause with us, gained her independence, and become a member of our confederacy. Some Young Irelanders appear to us also to dream of republicanism or democracy for Ireland. They could not be madder. The constitution of Ireland is not, never was, and never can be, republican. Royalty and nobility are essential elements of it. She cannot subsist, if she throws off even the authority of the crown of Great Britain, for she would have left only an incomplete constitution, only two elements out of the three which are essential to it. She cannot supply from herself the element of royalty for all the island, and she would divide into several petty principalities, each under the representative of its ancient chief, with no suzerain or lord paramount, and thus revive the interminable feuds and wars of a former period of her history. Legislative independence is not impracticable, because she has, without going to England, both the lords and commons. With the lords she could not be a democracy, with the commons she could not be an aristocracy, and with the two without royalty to mediate between them she could not maintain a government. The crown of Great Britain has become integral in her constitution, if we regard her as Ireland, and not as Leinster, Ulster, &c. But, retaining the authority of the British crown, there is no reason why she may not have her own parliament; and, indeed, since the suppression of her national parliament was an essential change in her constitution, she has a right to it, and it is necessary to restore it, as the condition of her national life and prosperity. Without it she must cease to be Ireland, and in time become an integral part of England, politically considered, as Scotland has already become. Scotland, as Scotland, has ceased to exist, and so must Ireland, as Ireland, unless she recover her national parliament. It was not, therefore, from a shallow thought, or without profound philosophy, that the lamented O'Connell on the one hand avowed his loyal attachment to the crown of Great Britain, which is also the crown of Ireland, and on the other demanded with all his energies

the repeal of the Union, and the restoration of the Irish parliament.

They wholly mistake O'Connell, and reduce him to the level of a very commonplace man, who suppose that the question between him and Young Ireland was a question between "peaceful agitation" and "physical force." Peaceful agitation and physical force were the respective symbols of the parties; but the real question lay deeper. The Young Irelanders, unless we have wholly mistaken them, are in principle revolutionists, and hold that a people may make or unmake its constitution; O'Connell was a conservative, holding the national constitution sacred, and seeking only to restore and preserve it. He studied history and politics to ascertain the constitution; they study them to find the means of enkindling the national ardor to make such a constitution as they imagine will be best for their country. He was a legitimist; they care not a fig for legitimacy. He saw that the constitution of his country had been suppressed by the act of union, and that it must be restored, or his country, as a distinct country, be blotted out; and he therefore sought to restore what his country had lost through the zeal, kindled at the altar of Jacobinism, of the hot-headed patriots of '98. If any man ever lived who held the principles of revolution in abhorrence, the principles of the French revolution, in particular, that man was Daniel O'Connell, and if there was ever a people that should detest them, that people is the Irish. Here is the principle of the difference between him and Young Ireland, a principle which, we regret to say, his friends in too many instances seem to us to overlook. Too many of them seem to imagine that he would go as far in effecting a revolution as any one, that he was a thorough-going radical, only he would not consent to employ physical force as a means,—in a word, that he was a sort of Quaker Jacobin, a broad-brimmed *Sans-culottes*. Here is their capital mistake, and the reason why they suppose his rupture with the Young Irelanders was after all for a slight cause, and imagine that it may be healed. Healed it may be, by the conversion of Repealers to Jacobinism, or that of the Young Irelanders to legitimacy, but on no other condition.

What Ireland wants is not revolution, is not a new political order, a change in her constitution, but her own national constitution restored to its normal state, and preserved in its vitality and force; and this, if done at all, must be done

on the principles of legitimacy, as O'Connell contended; not on the principles of revolution, as Young Ireland contends. It is Ireland, old Ireland, whose life is at stake, and which it is necessary to rescue and save. Ireland can know no young Ireland. A nation cannot be twice born. There can be no young Ireland. By the very fact that these young enthusiasts call themselves "Young Ireland," they declare that they are not Ireland, proclaim themselves, not *nationalists*, as they falsely pretend, but *anti-nationalists*. Nationalists are those who live the national life, are true to the national constitution, and ready to die in its support; not they who separate from the nation, discard the national constitution, and are ready to draw the sword, not for the nation that is, but to hew out a nation after their own image. They may have poetry; they may write stirring newspaper essays; they may excel in vague and frothy declamation; they may believe themselves honest, enlightened, and patriotic; they may even fancy that their spirit is not Jacobinical, and regard the charge of being revolutionists as a gross calumny; but, alas! all men who demand liberty by appeals to sentiment instead of conscience, and expect it from passion instead of law, are revolutionists in principle, and need only the time and the occasion to re-enact the part of Mirabeau, Danton, and Robespierre. These Young Irelanders, most likely, foresee not now whither tends the spirit by which they are governed; but let them follow it for a time, and they will find that there is no retreat for them, that they have placed their country in such a situation that they cannot prevent a Jacobinical revolution, even if they would, and such a revolution would only complete the work begun by the Saxon. If Ireland, the Ireland we have known and loved, the Ireland which has withstood the storms and tempests of two thousand years, famous in the annals of literature and religion, rich in saints, sufferings, and long centuries of perpetual martyrdom, be not doomed to utter extinction, she will disown these her pretended children and treat them as St. Patrick did the less venomous serpents and reptiles which he found on her soil, and which can no more touch it and live.

But let no one be so silly as to imagine that the conservative principle contended for by Count de Maistre is hostile to such social meliorations and such administrative changes as time and its vicissitudes may render necessary or expedient. But the true social reformer is the state physician, and

proceeds in regard to the state precisely as the medical doctor does in regard to the human body. He seeks always to heal the disorders of the state without destroying or impairing the constitution, and by the application of such remedies as are peculiarly adapted to the constitution. If the constitution is already broken up and become incurable, he knows there is no effectual remedy, and that complete dissolution, sooner or later, must inevitably ensue. But if he finds the constitution still sound at bottom, he seeks simply to restore it to its normal state, and to guard against whatever would tend to impair its healthy and vigorous action. In other words, he restores, but does not seek to create; develops, but does not attempt to institute.

On this principle we see our present Holy Father introducing administrative changes in the temporal government of the states of the church. How far the reforms he has introduced or proposed extend, we are not able to say; and how far they will effect the end intended, and serve to tranquillize the turbulent spirits, the unprincipled and ambitious, among his subjects, it is not for us to judge, or even to inquire. But we can easily believe that in an old government, like that of the Roman states, some administrative abuses may with the lapse of time have crept in, and that the alterations which for the last hundred years have been taking place around them have rendered some administrative changes expedient. As a wise and judicious prince, as a watchful and tender father, the pope seems to believe such to be the fact, and to be determined to correct the former and to introduce the latter; and for this he has been applauded to the echo, rather in the hope of inducing him to go further, we apprehend, than from any real satisfaction felt for what he has thus far done or proposed. But we confess that, notwithstanding the shouts which ring in our ears, and the loud praises he has secured from those whose praise is always suspicious, we have seen in him not the least conceivable tendency to countenance the misnamed liberalism now so rife in the European populations. They who flatter themselves that the sovereign pontiff of Christendom, is about to place himself at the head of the liberals, as their leader in the war against legitimacy, will find their shouts have been premature, and their hopes fallacious. That Pius IX. is the father of his people, that his sympathies are with the oppressed and down-trodden of all nations, that he is the uncompromising enemy of injustice

and arbitrary rule, whether of kings or peoples, is no doubt true, and in saying so we only say he is pope; but *because* this is true, we have the fullest assurance that nothing can be further from his thoughts and intentions than to countenance, even in the remotest degree, the mad and ruinous radicalism or socialism of the day, or that it has aught to hope from him but his anathema.

We know the enemies of law and order have rejoiced; we know that even some Catholics, placing their politics, unconsciously no doubt, before their religion, have flattered themselves that our Holy Father seeks to effect an alliance between Catholicity and modern socialism; but he is the vicar of Jesus Christ, not a pupil from the school of the apostate De La Mennais, and can no more form an alliance with socialism than with despotism. One pope is not in the habit of reversing, in what involves a principle, the decisions of another. We all know the doctrine of the *L'Avenir;* we all know that after the revolution of July, 1830, De La Mennais sought to persuade the church to make common cause with the European populations against their political sovereigns, to throw herself into the arms of the people, and trust for her support to their holy instincts; and we all know the answer he received from Rome. The church throws herself into the arms of neither the people nor the sovereigns; she relies for support on no power foreign to herself. She rests on God alone, who has promised to be with her all days unto the consummation of the world. She forms no alliances. The sects may trim their sails to the breeze, and appeal now to despotism and now to liberalism, now seek to avail themselves of a temperance excitement, and now of an abolitionist or a socialist movement, for they are all impotent in themselves, and can subsist only by means of supplies drawn from abroad. But the church draws all her support and all her motive power from within, from God himself. Her ensign is the cross, the cross alone, and her battle-cry, from the first to the last, is *Deus vult.* As she withstood the despotic tendency of kings and emperors in the middle ages, and taught the sovereigns that they held their power as a trust from God, and were bound to exercise it for the good of their subjects, so will she withstand the popular tendencies towards license and anarchy, and teach the people that their duty and their interest are in the maintenance of the order Almighty God has established for them, and in frank and conscientious submission to law.

Nothing could be madder, on the part of Catholics with us, than to adopt the radicalism of the country. Our only security here is in the supremacy of the law, and the prevailing sense of its sacredness, without which its supremacy is impossible. The Catholic who does not wish to pave the way for the confiscation of the property of his church, and for the suppression of his worship in these states, must beware how he binds himself to the extreme *liberalism* of the country, and aids the tendency now so active, under the name of progress, to sweep away all the guaranties of law. It is natural that persons who have during their whole lives felt only the pressure of government, and known government only in its abuses, should on coming here be disposed to adopt extreme views, and think only of restricting the sphere and diminishing the power of government; and it is natural also, that, finding their religion generally unpopular, they should seek to conciliate favor for it, or to acquire popularity for themselves, by falling in with the popular political current, and showing themselves enthusiastic in their support of the dominant tendency of the country; but in doing either they are as far from consulting their true interest as they are their duty as Catholics. Majorities may protect themselves; minorities have no protection but in the sacredness and supremacy of law. The law is right as it is; we must study to keep it so; and if we do, we shall always throw our influence on the conservative side, never on the radical side.

It may be objected, that the doctrine we contend for is opposed to progress; but it is opposed to progress in no sense in which progress is not a delusion. There is progress of individuals, but no progress of human nature,—a progress of particular nations, but none of the race. Nations are like individuals; they are born with their peculiar constitutions and capacities, which determine all that they can be. They grow up like individuals, attain their growth, their maturity, decline into old age, become enfeebled, and die, and pass away. It is the universal law, and there is no *elixir vitæ* for nations any more than for individuals. The Rosicrucians pretended that it is possible in the case of the individual to ward off death and maintain perpetual youth, and Godwin, and Balzac, and Bulwer have made the notion the theme of interesting romances, as all know who have read *St. Leon*, *Le Centénaire*, and *Zanoni*, and our modern politicians try to persuade us to believe the same is possible

with regard to the state; but, in either case, it is a mere dream of the fancy or a delusion of the devil. The limits of our national progress are fixed by the inherent principles of our constitution, and it is madness to dream of passing beyond them.

In conclusion, we would express our thanks to the translator of the excellent little work which we have made the text of our remarks. He has done his task with taste and fidelity, and the notes he has annexed to the work add to its permanent value. Disagreeing with De Maistre as to his monarchical views, at least so far as concerns our own country, and avowing it as our full and settled conviction that the destiny of our country is inseparable from the destiny of its republican constitution, we yet recommend his essay as worthy of general study, and as almost the only sensible political pamphlet that has ever been published amongst us. Our politicians may slight it, may denounce it, and denounce us for recommending it; but if they do, so much the worse for them, so much the worse for the country.

IRELAND, O'CONNELL, &C.

[From Brownson's Quarterly Review for July, 1845.]

We intend before long to offer some thoughts on Irish history and Irish affairs in general; but, at present, we have room only for a few remarks suggested by passing events more or less remotely connected with the repeal movement, and Mr. O'Connell, its distinguished chief.

We have nothing to say on the simple question of repeal, for we do not feel ourselves competent to say what is or is not best for the real interests of the Irish people. Ireland is unquestionably one of the worst governed countries in the world, and we need nothing more than ordinary humanity to demand in loud and earnest tones her enfranchisement. But whether the specific measure of the repeal of the act of union and the restoration of her domestic parliament would effectually remove or lighten the evils which now weigh so heavily upon her, we consider Irishmen better qualified to decide than we are; and to them belongs, and

to them we leave, the decision of the question, if it be still an open question. For ourselves, we will only add, that Ireland has never, in our judgment, lost her nationality; she therefore still possesses all the inherent rights of a nation, and is entitled to self-government as much as any other nation, free from all foreign control or dictation. If we did not take this ground, we should be obliged to regard the repeal movements of our citizens as virtually, if not expressly, in contravention of international law. But, taking this ground, we are free to express our hope that the time is not far distant, when all traces of Ireland's conquest by or subjection to Great Britain will be wiped out, either by her restoration to complete and entire national independence, or by her elevation to perfect equality, civil and political, with the English portion of the British empire. Which would be best, or which will be effected, we know not; but that one or the other ought to be, and must and will be, we entertain not a doubt.

But we leave the discussion, as foreign to the province of our *Review*, in which we discuss political matters, whether foreign or domestic, only so far as they have a bearing on Catholic faith, morals, and worship. But we cannot refrain from making a remark or two on the attitude Mr. O'Connell has assumed in regard to our own country. Men do and will estimate Mr. O'Connell differently, according to the different points of view from which they contemplate him; nor is a man to be regarded as wanting in devotion to the interests of Ireland, even in case we cannot feel towards him as do the warm-hearted and enthusiastic Irish. We protest in advance against making the idolatrous worship of any man the test of one's devotion to the cause with which that man may be identified. For ourselves, as American citizens and patriots, we may have had our feelings wounded, our prejudices aroused, and even our judgments warped by Mr. O'Connell's unprovoked attacks on our country; for we are as sensitive to the interests, to the honor and glory of America, as Irishmen are to those of Ireland, and we are as quick to resent any attack upon them, come it from what quarter it may. But we regard Mr. O'Connell as a wonderful man, and as a firm and devoted patriot. It is rather a Hibernicism, if we may be allowed the expression, to call him the "Liberator," for his countrymen are not yet liberated, and it is always too early to call any man the liberator of his country before his country is liberated; but

that O'Connell earnestly desires the liberation of Ireland, and that he is prepared to effect it even at the sacrifice of his life, we see no good reason for doubting. We should think not over and above well of the Irishman whose heart did not honor O'Connell, and beat quicker at the mention of his name.

Nevertheless, we think Mr. O'Connell has, in his speeches, made remarks in regard to this country which are hard to justify or even palliate. We have strong reasons for believing that these remarks do not accord with his own private views and feelings, and that they are made mainly for the purpose of conciliating friends or silencing enemies in England and Scotland. Mr. O'Connell is better informed as to the state of things here than his public speeches would indicate. But he appears to judge it important for his success to conciliate, and, as far as possible, to enlist, the abolitionists in Great Britain on his side, and to have it clearly and distinctly understood by the British government and people, that, however ardently he may desire repeal, he is not prepared to carry it by courting or accepting any foreign alliance or sympathy. Thus he repelled the proffered sympathy of the French liberals, and thus he has repelled, in some measure, the proffered sympathy of American citizens. Up to a certain point, this is a justifiable and even a necessary policy on his part. He is attempting, in his view of the case, a simple measure of domestic legislation,—a legal measure to be carried by legal means, and by legal means only. It is, therefore, a matter in which the citizens or subjects of a foreign state have little right to interfere, and in which they cannot interfere without in some measure placing him in a false position, exciting the jealousies of the British government, wounding the national pride of the English people, and endangering, if not defeating, the success of his cause. He would belie his assertion that repeal is a question of internal legislation, which nowise concerns foreign nations, and be ill qualified to act as the chief of the repeal movement, if he did not take particular care not to give offence to the British government and people by accepting the sympathy of foreigners; and we think here is a consideration which should have great weight with the repealers in this country, especially with those who are American citizens. They may, after all, retard more than they can advance the cause of repeal, and, it seems to us, O'Connell feels this, and hence the bitterness and contempt

with which he speaks of us. We cannot, for ourselves, blame him very severely for this.

Nor do we blame Mr. O'Connell for pledging the British government the support of his countrymen in case of a war with us, on condition it does justice to Ireland. Mr. O'Connell and the Irish people profess to be loyal subjects to the British crown; they acknowledge that they owe allegiance to that crown; and, therefore, however much we might desire their coöperation, active or passive, with us, in case of a war with England, we cannot understand on what grounds we should have a right to expect it, or they to give it. We do not censure him, nor do we see how any one can rightfully censure him, for the conditional threat he threw out, unless it be the British minister himself; for, rightly considered, it was rather a threat against the minister than against us. It was as much as to say to Sir Robert Peel: "Do justice to Ireland, and if you go to war with America, you may count upon us as loyal subjects; but withhold justice from Ireland and go to war, and—manage with Ireland as best you can. We fight no battles for you, till you grant us a redress of our grievances." As an American, we take no offence at this; as Sir Robert Peel, we might, perhaps, demand of Mr. O'Connell by what right he, as a loyal subject, holds such language to the government to which he owes allegiance.

Nor, again, are we disturbed by the opinions Mr. O'Connell has expressed of the American people. We hope we have character and consistency enough, as a people, to be able to survive the expression of any opinions any foreigner may entertain of us, however unfavorable they may be. The only thing we complain of in Mr. O'Connell, in regard to us, is his interference with our domestic concerns, and his effort to throw the whole weight of his character and position into the scale of a domestic faction, whose avowed intention is the dissolution of the American Union, and whose success would involve the destruction of all government and law. We complain of him for coupling his repeal movement with the movement of the American abolitionists. It may be, that we, in our active sympathy with him in his efforts to liberate his countrymen, have transcended our rights as American citizens in regard to the British government, and unjustifiably interfered in the internal concerns of the British empire; but if so, it was not for him to retort by leaguing with our own domestic enemies,

and to revenge the British government for our generosity to Irishmen, by doing all in his power to destroy our existence as a free people. Such a retort would have come with a much better grace from Sir Robert Peel than from Daniel O'Connell.

Men may think as they will on the question of slavery; but no man, not blinded by his fanatical theories and prejudices, can watch, as we have, the rise and progress of the abolition party in this country, and not hold the least conceivable countenance of it to be recreancy to God and treason to the state. A more subtle or dangerous enemy to religion or to liberty it is impossible to conceive. Our institutions could more easily withstand the whole combined force of Europe directed against them. It is yet to give them a severe trial,—to convulse our whole nation, and to hasten on a civil war, which we see already gathering on a not distant horizon. The party gathers force and virulence in its progress; it assimilates to itself every particular fanaticism in the country, and rolls on its accumulated and accumulating waters to the destruction, not of negro slavery, but of the state, of government, of religious institutions, of all social organizations, and of all law but the law every man is unto himself. The wildest extravagance can conceive nothing more extravagant than its avowed principles; and the boldest and liveliest imagination falls short of the terrible evils its success would involve. The British government, for reasons not difficult to divine, gives this party its official sanction, and urges it on by all the indirect means in its power. This excites in us no surprise. But that O'Connell, a Catholic, and, therefore, a friend of established order, of firm and regular government, of religion, law, and humanity, for the sake of clearing himself of the charge of courting foreign sympathy, for the sake of pleasing the British government, and conciliating British fanatics, with whom he can have no sympathy, should aid and encourage this detestable faction, and in return for our having provided a home for millions of his countrymen, and sympathized warmly with his efforts to enfranchise the millions who still cling to their own "Green Isle of the Ocean," we own excites, if not our surprise, at least our deep indignation, and calls for the stern rebuke of the American people. He who sides with our enemies, plots with them, and encourages them in their hostility, can hardly expect us to treat him as our friend.

But while we express ourselves thus strongly against Mr. O'Connell's ill-advised sympathy with the American abolitionists, we are far from confounding him either with the cause of repeal or with the Irish people. For the Irish people we have the feelings every one must have who has made himself acquainted with the wrongs they have suffered for these seven hundred years. They are a noble, generous, and warm-hearted people, second to no people on the face of the earth. They have contributed their full share to what is noble, distinguished, touching, heroic, and saintly, in human history; and however indignant we may be at O'Connell's speeches, all the O'Connells in the world cannot shake our attachment to them, our admiration of the many noble traits in their character, or our earnest desire for their restoration to their rights as a free people. Nor does it seem to us that the remarks of Mr. O'Connell should affect at all our zeal or sympathy in regard to the cause of repeal. Mr. O'Connell is not that cause, although he is its distinguished leader. It should be judged of independently of him, on its own intrinsic merits, and we should act in regard to it without taking at all into consideration his union with the miserable abolition fanatics of this country.

But there is one other Irish question of more importance, in our view, than the repeal question,—the question of the relations of the Catholic hierarchy and clergy to the British government. Ireland owes the preservation of her nationality to Catholicity, and the fact that her bishops and clergy have depended not on the British government, but on the Holy See and the Irish people. It is to those bishops and clergy the Irish owe, under God, the preservation of their faith and nationality; and for whatever conquests have been achieved in behalf of Irish liberty, without these to back them, your long line of Irish heroes and patriots would have labored in vain. The British government are well aware of this, and they have now begun the policy of attempting to retain Ireland in subjection by trying to buy up her spiritual guides and rulers. Two measures will be proposed to this end: one, to corrupt the faith of the Irish people; the other, to corrupt the patriotism of the bishops and clergy. The first is to come in the shape of a system of mixed academical instruction, or the establishment of schools and colleges open alike to Catholics and Protestants, from which all positive religious instruction, whether Catholic or Protestant, shall be excluded. This will be to render the schools

and colleges mere nurseries of infidelity, as we may learn from our own experience, where the great mass of the young men who graduate are little better than downright infidels. A more insidious or destructive measure it is impossible to devise, and we regret to find it countenanced by some who would fain persuade us they are Catholics. We trust, however, Catholics generally will treat the measure as it deserves; for the well instructed Catholic knows that education not based on religious principle and coupled with thorough religious training is a curse, instead of a blessing; and no religious training, to satisfy a Catholic, is possible in a school not exclusively under Catholic control. We would much rather our children should grow up ignorant of letters, than be taught in a school which is not Catholic. Better to be ignorant and believing than to be learned and doubting.

The second measure is the proposition to pay the Catholic bishops and clergy a salary from the public treasury, which, it is hoped, will make them the tools of the state. The English Tories seem to have still too much respect for principle to make such a nefarious proposition; but the English Whigs, in whose ethical code honor, justice, manliness, independence, never found admission, and never will,—a party notoriously without principles, and held together by cant and a common love of chicanery and baseness, make no scruples in boldly avowing such a policy and its motives. Events may rapidly drive the government into its adoption. Its acceptance would be the death-knell of the Irish church, Irish nationality, and Irish liberty. We trust the dignitaries and clergy of the Irish church do not need to be told this; and we trust in God, that in the hour of trial they will be found firm and unflinching, choosing "to be afflicted with the people of God, rather than to have the pleasure of sin for a time, esteeming the reproach of Christ greater riches than the treasures of the Egyptians." Retain the Catholic faith of the Irish people and the independence of the Irish Catholic Church; Irish nationality will never be lost, and Irish liberty will assuredly ere long be triumphantly vindicated and established. Corrupt the faith of the Irish people, make them infidels, or educate them merely with reference to success in this world, and reduce the Catholic prelates and clergy to the condition of stipendiaries on the British government; Ireland's degradation will be complete, and all hope of her regeneration delayed for ever.

For ourselves, we confess that we feel more lively apprehensions as to the effect repeal agitation is likely to have on the cause of the Catholic Church in Ireland, than we do as to its probable success in securing Irish freedom and national prosperity. Temporal prosperity, however great, is too dearly purchased, if purchased at the expense of that faith without which it is impossible to be saved. Great popular movements in behalf of any worldly end, however unexceptionable or praiseworthy in themselves considered, are always to be viewed with something of fear and anxiety. They almost necessarily draw off the mind and the heart from the great work of securing our celestial destiny, and concentrate them on the means of working out an earthly destiny; and therefore tend to make us worldly-minded, instead of spiritually-minded. We look upon all popular movements with a certain degree of distrust; for they are almost always sure to be carried on by blind impulse or enthusiastic zeal, and to fall at last under the control of the unprincipled and the designing, instead of the true, the good, the holy, the practical, and the discreet. So far as we have observed them, though in behalf of a great and praiseworthy object, they generally strike down more good by the way than they secure by gaining their end. We can see no good that has, as yet, resulted from the terrible popular movements of modern times. The giant turns that he may rest his wearied limbs; but the mountain merely sends forth volcanic eruptions, which spread fear, consternation, and ruin through all the neighboring towns, villages, and hamlets. In order to secure success, the masses make concessions and form alliances which are incompatible with truth and goodness, and which rarely fail, in the end, to rob victory of its most valuable fruits.

There may be no cause in the Irish repeal movement for any of the apprehensions we here express, and we would fain hope there is not; and yet we are not without our fears. Great men and good men, engaged in a cause they have much at heart, looking steadily at its final success, are apt to be a little blinded, and to give countenance, unconsciously, to principles and measures which they would not for the world adopt, if clearly and distinctly proposed and contemplated. In their patriotic zeal, Mr. O'Connell and some others, who are not to be judged by us, may, in order to unite all Irishmen for Ireland, make concessions to Protestant prejudices, and professions of policy, which grate rather

harshly upon the sensibilities of a Catholic not engaged in the strife, and which may have, in the end, unhappy consequences. We may be over-sensitive, and led astray by the zeal and enthusiasm of the recent convert; we may assume a tone and freedom of remark not becoming one just from the ranks of Protestantism; and we have some suspicion that such is the case; but, if so, we shall take meekly any rebuke which may be administered to us. But we have seen so much of Protestantism, that we cannot bear in silence the least concession, or shadow of a concession, to it, for any cause whatever. It is a rebel to the church, and therefore a rebel to God; as such we hold it, and as such we would have it treated, whenever and wherever we come in contact with it. We will throw not one grain of incense upon the altar of Jupiter; no, not to gain the whole world. It is no calamity to suffer and die for the faith; but it is a terrible calamity to succeed in the best of temporal causes by lending the least conceivable countenance to any of the distinctive principles of Protestantism. There can be no alliance between Christ and Belial. If we live in Protestant countries, we will obey the laws, demean ourselves as good citizens and subjects, but have no communion with what is distinctively Protestant. We can do without the earth, but we cannot do without heaven. If infidelity and misbelief hold the dominion of this world, so be it; we can enter into no covenant with them for the purpose of sharing that dominion. We seek a kingdom which is not of this world.

But if we express our apprehensions, it is not because we fear any thing for the final result. The church is of God, and can never fail. She never takes the initiative in regard to any form of government, for she can adapt herself to all forms of civil polity. She is eminently anti-revolutionary, eminently conservative; but she always can, and always does, accept and conform herself to the political order she finds established. She did not stir up the popular movements of modern times, nor set on foot the efforts of the people for popular governments. But she was not bound to the old political order now passing away, and in no sense depended on it as the condition of her existence, or of fulfilling her high mission. She did not seek to overthrow it, for she seeks to overthrow no existing political order; nor does she seek to recall and restore an order once overthrown and passed away. But when one order has been thrown off, and a new one introduced, she leaves the old, and accepts and conforms to the new.

A new political order seems to us to be rendered inevitable by the popular movements of modern times. It seems to us, that there is to follow, perhaps throughout all Christendom, after more or less protracted struggle, an era of popular governments. The people are to take the place of the old kings and nobles. Whether this will be a change for better or for worse, we, perhaps without offence, may be permitted to regard as problematical; but that it is to be we regard as inevitable. The church will conform, and we see that she already is conforming, to the new state of things. It is in accordance with the principles on which she has always acted, to accept the new state of things, when once established. The new order being the popular order, the church will accept and sanction the popular order. The church, which has always been on the side of the people, will hereafter, we venture to predict, be on the side of what is called popular liberty, and the triumph of the church and of the people will be celebrated together.

In this view of the case, the popular tendency has nothing alarming. A few years will develop the fact, that the freedom of the people and the independence of the church are one and the same cause, and that the one cannot be effected without the other. The republican will see that his protection against the tyrant is only in the maintenance of the freedom and independence of the church, in regard to all her spiritual functions; and the church will appeal to the popular energy to save her from the slavery to which infidel governments everywhere attempt to reduce her. In this way, the providence of God will make the terrific popular energy, which was at first waked up by the enemies of the church to crush her, serve as the instrument of her triumph and of their confusion. In this way will Providence bring good out of evil, and turn the weapons forged against his spouse in her defence and against her enemies. When the cause of popular government becomes identified with the cause of the church, it will become a holy cause; and the most democratic government, under the sanction of the church, or where the church is free to fulfill her mission in the spiritual order, will be a good government, and perhaps the best of all conceivable governments. Whatever evils might be apprehended from popular liberty, where we have not the church, will be avoided, where we have it, and the good of the people will assuredly be promoted.

We hope we shall be forgiven these somewhat desultory

remarks, which, after all, to those who will meditate them, may be pregnant with some not unimportant suggestions. We have made them in no spirit of arrogance; for we do not, because we fill an editorial chair, forget that we are not one who has received authority to teach, and that it is for us to receive, and not to give,—or, if we attempt to give, to give only that which we have received from her whom God hath commissioned to teach and to govern the nations. The layman does not cease to be a layman because the conductor of a public journal. But we claim the right, with submission, to labor with what little ability we have for the cause of truth and goodness; and we feel the more earnest, because we must redeem the time we have lost, and can have at best but a few years in which to redeem it. With us, the church is paramount to all other considerations, and we ask no greater boon than to be permitted to labor in her cause. First of all, we are Catholics, and first of all does that which concerns the church interest us. Next in order, we are American citizens. In becoming Catholics, we do not cease to be citizens and patriots, and we feel bound to demean ourselves as faithful citizens and loyal subjects. As the conductor of a public journal, we have the honor and glory of our country at heart, and are bound to raise our voice, feeble though it be, against whatever would attack either, come it from what quarter it may. Here, free institutions are the established order, and we have no option left us; we are solemnly bound to do our best to defend these institutions against all impugners from within or from without, and to do what we can to preserve them and provide for their free practical operation and success. Next in order, after our own country, we give our best affections and warmest sympathy to the cause of Ireland. We, as a people, are much to Ireland. She has given us a large portion of our population, many of our best citizens, of the firmest, bravest, and most enlightened friends and defenders of our republican institutions. She has also done more; she has contributed more than any other one nation to introduce and build up among us the Catholic Church. For this, as little as the mass of our countrymen may esteem it, we owe her an immense debt of gratitude,—greater than we shall ever be able to pay; for to the existence and prevalence of the Catholic Church among us shall we be ultimately indebted for the preservation of our free institutions, and their success in working out the happiness of the people.

Dear to us, then, is the cause of Ireland; and we give her, if nothing else, the warm affections of a grateful heart, and fervent prayers for the true freedom and prosperity of all her children at home, or whithersoever they may be scattered abroad over the earth.

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